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*The Department of State*

# bulletin

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## The President and General MacArthur Confer on Korean and Far Eastern Policies

### PRELIMINARY STATEMENT BY THE PRESIDENT

[Released to the press by the White House October 10]

General MacArthur and I are making a quick trip over the coming weekend to meet in the Pacific.

When I see him, I shall express to him the appreciation and gratitude of the people and Government of the United States for the great service which he is rendering to world peace. As Commander in Chief of United Nations forces in Korea, he has been acting for the world organization as well as for us. His mission has been to repel aggression and to restore international peace and security in the area, as called for by the United Nations. He is carrying out his mission with the imagination, courage, and effectiveness which have marked his entire service as one of our greatest military leaders.

I shall discuss with him the final phase of United Nations action in Korea. In this phase, the United Nations command will be working closely with the United Nations Commission which has just been created by the General Assembly and given heavy responsibilities for the establishment of a unified, independent, and democratic Korea.

We must proceed rapidly with our part in the organization of the United Nations relief and reconstruction program in order to give the Korean people a chance to live in peace. Secretary Acheson, in his opening address to the General Assembly, stressed the importance of this great opportunity to demonstrate the capacity of the world organization to reestablish the economic and social life of Korea, which has suffered cruelly as a result of aggression. The successful accomplishment of this peaceful mission of reconstruction can serve as a pattern for other efforts to improve the lot of people all over the world. The task of reconstruction in Korea will be a heavy one and will require a major effort by the United Nations; the United States will carry on its full share of this load.

The only interest of the United States is to help carry out these great purposes of the United Nations in Korea. We have absolutely no interest

in obtaining any special position for the United States in Korea, nor do we wish to retain bases or other military installations in that country. We should like to get our armed forces out and back to their other duties at the earliest moment consistent with the fulfillment of our obligations as a member of the United Nations.

Naturally, I shall take advantage of this opportunity to discuss with General MacArthur other matters within his responsibility.

### TEXT OF STATEMENT ISSUED FROM WAKE ISLAND ON OCTOBER 15

*Following is the text of President Truman's statement following his conference with General MacArthur which was released to the press at Wake Island on October 15.*

I have met with General of the Army Douglas MacArthur for the purpose of getting first-hand information and ideas from him. I did not wish to take him away from the scene of action in Korea any longer than necessary, and, therefore, I came to meet him at Wake. Our conference has been highly satisfactory.

The very complete unanimity of view which prevailed enabled us to finish our discussions rapidly in order to meet General MacArthur's desire to return at the earliest possible moment. It was apparent that the excellent coordination

#### Syngman Rhee Expresses Gratitude of Korean People

*On October 6, President Truman received the following message from Syngman Rhee, President of the Republic of Korea.*

Please accept for yourself personally and, through you, for all the American people and United States Forces fighting in and near Korea, the deep gratitude of the Korean People for United States decisions and actions which now have led to the liberation of Seoul. The Korean people will always cherish the memory of your bold leadership in defense of liberty.

which has existed between Washington and the field, to which General MacArthur paid tribute, greatly facilitated the discussion.

After I had talked with General MacArthur privately, we met together with our advisers. These joint talks were then followed by technical consultations in which the following participated:

General MacArthur and Ambassador John Muccio; Mr. Averell Harriman, Special Assistant to the President; Secretary of the Army Frank Pace; General of the Army Omar N. Bradley, Chairman, Joint Chiefs of Staff; Admiral Arthur W. Radford, Commander in Chief of the Pacific Fleet; Assistant Secretary of State Dean Rusk; and Ambassador-at-large Philip C. Jessup.

Primarily, we talked about the problems in Korea which are General MacArthur's most pressing responsibilities. I asked him for information on the military aspects.

I got from him a clear picture of the heroism and high capacity of the United Nations forces under his command. We also discussed the steps necessary to bring peace and security to the area as rapidly as possible in accordance with the intent of the resolution of the United Nations General Assembly and in order to get our armed forces out of Korea as soon as their United Nations mission is completed.

We devoted a good deal of time to the major problem of peaceful reconstruction of Korea which the United Nations is facing and to the solution of which we intend to make the best contribution of which the United States is capable.

This is a challenging task which must be done properly if we are to achieve the peaceful goals for which the United Nations has been fighting.

The success which has attended the combined military effort must be supplemented by both spiritual and material rehabilitation. It is essentially a task of helping the Koreans to do a job which they can do for themselves better than anyone else can do it for them.

The United Nations can, however, render essential help with supplies and technical advice as well as with the vital problem of rebuilding their educational system.

Meanwhile, I can say I was greatly impressed with what General MacArthur and Ambassador Muccio told me about what has already been done and is now being done to bring order out of chaos and to restore to the Korean people the chance for a good life in peace.

For example, the main rail line from Inchon to Suwon was opened to rail traffic in less than 10

days after the Inchon landing. The rail line from Pusan to the west bank of the Han River opposite Seoul was open to one-way rail traffic about October 8. Bridge and highway reconstruction is progressing rapidly. Power and the water supply in Seoul were reestablished within a week after the reentry into the capital.

General MacArthur paid a particularly fine tribute to the service being rendered in Korea by Ambassador Muccio.

I asked General MacArthur also to explain at first hand his views on the future of Japan with which I was already generally familiar through his written reports. As already announced, we are moving forward with preliminary negotiations for a peace treaty to which Japan is entitled.

General MacArthur and I look forward with confidence to a new Japan which will be both peaceful and prosperous.

I also asked General MacArthur to tell me his ideas on the ways in which the United States can most effectively promote its policies of assisting the United Nations to promote and maintain international peace and security throughout the Pacific area.

On all these matters, I have found our talks most helpful and I am very glad to have had this chance to talk them over with one of America's great soldier-statesmen, who is also now serving in the unique position of the first Commander in Chief of United Nations peace forces.

We are fully aware of the dangers which lie ahead, but we are confident that we can surmount these dangers with three assets which we have:

- first, unqualified devotion to peace;
- second, unity with our fellow peace-loving members of the United Nations;
- third, our determination and growing strength.

## **Communiqués Regarding Korea to the Security Council**

General Douglas MacArthur, Commander in Chief of United Nations command, has transmitted communiqués regarding Korea to the Secretary-General of the United Nations under the following United Nations document numbers: S/1805, September 21; S/1806, September 22; S/1807, September 22; S/1820, September 27; S/1828, September 29; S/1830, October 3; S/1833, October 3; S/1835, October 6.



## The Korean Case in the General Assembly

### U.S. SUPPORTS EIGHT-POWER RESOLUTION ON REHABILITATING A UNITED KOREA

*Statement by Ambassador Warren R. Austin  
U.S. Representative to the General Assembly<sup>1</sup>*

We are about to take a major decision. That decision will have a profound effect on the future of the 30 million people in Korea. It will also have a profound effect upon the people of the world. It will openly prove whether we who are members of this great organization mean what we say in our pledges that Korea shall be independent and free to work out its own destiny in the way that the Korean people decide.

It has been 3 years since this Assembly put its hand to the task of creating a unified Korea which could exist without coming under the domination of any other power or powers. The task is not yet accomplished. However, by our vote today and by our continued support hereafter of our decision of today, we can, I am sure, bring the Korean people nearer to the end of their present suffering and to a state of political independence and economic well-being.

Since the beginning of the debate in the Political Committee last Saturday, we have heard a great many words uttered both for and against the resolution sponsored by Australia, Brazil, Cuba, Netherlands, Norway, Pakistan, Philippines, and the United Kingdom.

Of course, the United States delegation opposes the Soviet Union resolution which has been revived here from this rostrum. I need to use only one reason, though there are many which the United States presented in the Political Committee. But there is one profound and broad reason for opposing it, namely, that it aims at the virtual surrender of the United Nations to the Soviet group, a surrender to all of the aggressive purposes expressed in that resolution.<sup>2</sup>

<sup>1</sup> Made before the plenary session of the General Assembly on Oct. 6 and released to the press by the U. S. delegation to the General Assembly on Oct. 7.

My Government believes that in supporting the eight-power resolution, it is supporting freedom, unity, the real independence of Korea and of all small countries on earth. My Government's purposes are clear, open, and unequivocal.

First, I would recall very briefly the facts of the Korean situation since 1945.

From 1945 to 1947, the United States tried again and again to come to some agreement with the Soviet Union on the unification of Korea. It soon became apparent that when the Soviets talked of a free Korea, they meant a Korea that was completely under the thumb of the Soviet Union. If you need any additional proof of this, examine that draft resolution which was reintroduced here today and you will see the insistence in there upon that heavy hand of the neighbors of Korea. The Communist neighbors of Korea would supervise the establishment of that so-called free Government of Korea if that resolution were adopted.

<sup>2</sup> The following is the text of the draft resolution presented to the General Assembly by the Union of Soviet Socialist Republics, Ukrainian Soviet Socialist Republic, Byelorussian Soviet Socialist Republic, Poland, and Czechoslovakia: (see U.N. doc. A/1426 of Oct. 5, 1950).

TAKING INTO CONSIDERATION that the legitimate aspirations of the Korean people for the establishment of a unified, independent and democratic Korean State have not yet been fulfilled,

BEARING IN MIND that the principal task of the United Nations Organization is to bring about by peaceful means, and in accordance with the principles of international law and justice, the settlement of disputes which might lead to a breach of universal peace,

PURSUING the aim of settling peacefully the problem of Korea and re-establishing peace and security in the Far East,

The General Assembly recommends:

1. To the belligerents in Korea that they immediately cease hostilities;
2. To the Governments of the United States and the

The political parties that represented most of the Korean people bitterly criticized the Moscow Foreign Minister's decision of December 1945 which envisaged a temporary trusteeship. Trusteeship is anathema to any freedom-loving people, of course. Only a tiny, well-trained minority of Korean Communist groups kept silent. Most Koreans did not like the idea of a big-power trusteeship for Korea. I do not blame them. One cannot blame a people for wanting to be free—free even to make their own mistakes.

When the time came for consultation on the steps toward Korea's independence, the Soviet Union refused to listen to any person or any party that had even criticized the Moscow decisions. Even when the political parties pledged themselves to a faithful observance of that decision, the Soviet Union refused to consult with some 24 parties representing 15 million people, the vast majority of the adult electors of the country.

Was that democracy? It hardly seems so to us. When the United States suggested country-wide elections by secret ballot to select representatives to set up a government, the Soviet Union refused. All attempts to unify the country broke down on the refusal of the Soviet Union to agree to any election, or electoral body, or governments that the Soviet Union did not completely dominate through its henchmen.

In 1947 the United States placed the problem before the United Nations.

Unfortunately, the Soviet Union opposed any

Governments of other States that they immediately withdraw their troops from Korea and thereby establish conditions which would secure for the Korean people the possibility of enjoying the inalienable sovereign right to settle freely the internal affairs of their State;

3. That after the withdrawal of foreign troops and for the purpose of establishing a Government of a unified and independent Korean State, all-Korean elections to a National Assembly be held as soon as possible on the basis of the free expression of the will of the population of all Korea;

4. A joint (parity) commission composed of the representatives of North and South Korea shall be elected at a joint assembly of the deputies of the Supreme People's Assembly of the People's Democratic Republic of Korea and of the National Assembly of South Korea to organize and conduct free all-Korean elections to the National Assembly of all Korea;

The joint assembly shall also elect an interim all-Korean committee to carry out the functions of governing the country and to operate pending the election of the all-Korean National Assembly and the establishment of a permanent all-Korean Government;

5. That a United Nations Committee, with the indispensable participation in it of the representatives of States bordering on Korea, be established to observe the holding of free all-Korean elections to the National Assembly;

6. That for the purpose of rehabilitating Korean national economy which has suffered from the war the Economic and Social Council immediately draw up, with the participation of the representatives of Korea, plans for providing the necessary economic and technical aid to the Korean people through the United Nations Organization;

7. That after the establishment of the all-Korean Government the Security Council consider the question of admitting Korea to membership of the United Nations Organization.

type of fair settlement for the area of Korea controlled by Russian guns. The United Nations General Assembly voted overwhelmingly in 1947, 1948, and 1949 for measures that nearly all member nations hoped would bring independence and unity to Korea. The General Assembly appointed a Commission on Korea which included Australia, China, El Salvador, France, India, Philippines, and Turkey. The Ukrainian Soviet Socialist Republic refused to appoint a member to serve on the United Nations Commission on Korea.

The Russian commander in North Korea refused to allow the Commission formed by this Assembly even to consult with him or with the Koreans in his area. In contrast, the Commission was free to do its work for the General Assembly in the area where the United States troops accepted surrender of the Japanese occupants.

The Soviet Union and its associates refused to participate in the Interim Committee. That Committee, you will remember, was created by the General Assembly and vested with special responsibility for Korea: Namely, to act in lieu of the General Assembly in advising and directing the United Nations Commission on Korea. Thus, the elections in the Republic of Korea were held pursuant to the advice of the Interim Committee which the Soviets tried to sabotage.

#### Successful Work of UNCOK

At this time, I should like, in passing, to pay tribute to the members of the United Nations Commission on Korea (UNCOK). They have borne many hardships. They have undergone many disappointments. They have risked their lives and one of them, the Indian military observer, Colonel Nayar, lost his life in the performance of his duty. But they have been the eyes and ears of the United Nations, and we understand that, under the resolution, they will remain at their posts until the new commission that the resolution envisages will arrive in Korea. The members of the United Nations Commission on Korea have deserved well of the United Nations and when they clasp hands somewhere in Korea with the men who are to succeed them in a broader activity, I know that they will realize that they have the heartfelt thanks of this General Assembly as expressed in this resolution before it.

We have had frank reports from the Commission on both the shortcomings and the virtues of the Republic of Korea. The Commission members were able to tell us that the Government was representative and freely elected. They were able to tell us that that Government and the people of Korea were the victims of an unprovoked aggression on last June 25.

It might have been amusing in the Political Committee—if it were not so tragic—to hear the kind of cracked victrola record of charges that the aggression came from South Korea. We

know the facts because the Commission on the spot has given them to us.

We know who brought the horror of war upon Korea. We know where the blame for what has happened must lie and does lie. It is not with the South Koreans, nor with any of the countries that have contributed to the United Nations effort to restore peace in Korea. So much for the past.

#### **Task of Rehabilitating a Future Korea**

The time has come when the members of the United Nations must go forward with determination. Let us not postpone, falter, or weaken. We must go forward with the strength that rises out of unity. Only by persistent, accelerating progress can we reach the goal without further bloodshed. Abstaining from decision when aggression threatens will not help to preserve the peace of the world. Sometimes it only makes danger greater, and that is a lesson that many of us learned in the fire of the recent world war.

The American people has firmly supported the United Nations because it believes that this great body can exert an influence for good, an influence for peace, by its determination in moments of crisis such as this one. Let us advance together with every nerve and muscle exerted to make this organization of the world a stronger support for those who are threatened by war or famine or disease, as is little Korea today.

We have heard talk by the Soviet spokesmen to the effect that the United States is using the United Nations only to secure the interests of American monopolies in Korea. I thought that that was an idea that was long ago exploded. In fact, I went into some detail in the Security Council showing that the United States had contributed far more to Korea than the worth of all the American investments in that country. We want nothing from Korea. We want no bases in Korea. We do not want to and will not threaten any other country through the temporary presence of the United States troops in Korea on a United Nations mission.

The United States will cooperate in fulfilling the policy of this resolution that United Nations forces shall remain in Korea only as long as is necessary to achieve the essential objectives of the General Assembly—to wit, the establishment of a unified, independent, and democratic government of Korea. After the end of the fighting, the quicker Korea is permitted to live its own life without foreign interference, the better for the whole world and the better for us.

My Government is willing to do its full part in the United Nations forces that will help Korea in the future in regaining its peace and stability, but we should be well-pleased if other countries were to feel that they were able to take a larger share in the arduous task that still confronts the United Nations. It will be an arduous task. I

have no doubt of that. We do not gain or hold the peace by taking our ease. The war that the aggressor brought to Korea has caused widespread and deep devastation.

As if the damage of shell and bomb were not enough, I am informed that the aggressor forces themselves set fire to and destroyed many of the big buildings in Seoul, the capital, before they fled northward. Amid all the devastation, the population of Seoul enthusiastically welcomed the return of the United Nations forces to relieve it from an intolerable Communist dictatorship.

Who can tell at this distance and at this time just what will need to be done to unify Korea politically and restore it economically? Certainly we here cannot, but the Commission proposed in this resolution will be able to on the spot. It will be able to cope with conditions as it finds them, a task for selfless, able, strong, and resolute men. These men will be provided by Australia, Chile, the Netherlands, Pakistan, the Philippines, Turkey, and Thailand.

Under the authority of this Assembly, the Commission will have wide powers to go where it will. It will be able to get the views of everyone who is interested in the future and the well-being of the country. It should hold itself open and ready to talk with all who may approach it from whatever quarter.

The Commission will, of course, be in consultation with the Republic of Korea. In the confusion following the war, there will be many problems that can only be settled by cooperation between the United Nations Commission, the Republic of Korea, and the United Nations Commander in Chief.

There has been criticism here of President Syngman Rhee by the Soviet spokesmen. My Government certainly does not feel that it is the duty of the United Nations to impose President Rhee, or any other official, upon the Korean people in any area. Let them say what their appraisal of President Rhee is, or of any other candidate in political contention.

It is a fact, however, that Mr. Rhee was elected to his position as the result of an election certified as fair by the United Nations. It is also a fact that in the most recent election his supporters lost out and parties who oppose Mr. Rhee gained a majority. It has often been the case in my own country that the President belongs to one party and the Congressional majority to another. Such a possibility under the Korean constitution is not cause for surprise or dismay. If the Korean legislators wish to change their constitution, they can do so by a two-thirds vote as the constitution now stands. But the type of government the Korean people will have—what political arrangements will be made—is freely and entirely up to the Korean people so long as the methods they use are uncoerced, fair, and regular in the view of the United Nations Commission representing this General Assembly.



For this General Assembly, the resolution we are supporting is the keystone of the arch of United Nations action in Korea. This Assembly, as I have said, in 1947, 1948, and 1949 went as far as was then possible in unifying that country and protecting its independence.

In June and July of this year, the Security Council gave all the necessary military authority to the United Nations Commander to repel the aggressor army and restore peace in Korea.

The United Nations forces have pursued that task with vigor and some success.

Two things appear necessary to be done now: first, to carry out the objectives of the United Nations in the northern area where United Nations observers have never yet had opportunity to ascertain the political wishes of the people; second, to commence forthwith the task of rehabilitating the shattered Korean economy.

This resolution will give authority for both. In addition, it will announce to the men who are now fighting and dying for a United Nations ideal that this Assembly supports wholeheartedly the work they are carrying forward so effectively under Security Council authority, under the banner of the United Nations.

The vote on this draft resolution is the culmination of all the work we have been doing over the years on behalf of Korea. With it, the arch will be complete and strong.

What the United Nations has worked for since 1947 is stability in Korea—a unified, independent, and democratic government in a sovereign state.

This has been our objective, and this is what we are voting for in approving this resolution.

We propose by the action under this draft resolution to guarantee that no country shall tell the Korean people what they must do. The United Nations aims to keep people free, not bound in slavery to anyone.

The United Nations will help people who are battered by war, not harm them.

The United Nations will help rebuild, not destroy.

The United Nations will lift the shadow of fear from men.

The United Nations will liberate their minds from thought control and give their energies the opportunities of freedom and the blessings of liberty.

I believe that in order to achieve these things, we all, every one of the 60 nations of the world who are here represented, must be prepared to take some risks and endure some hardships.

But I believe also that if the United Nations will keep firm and unified, advancing toward our great objective, we can assure a peace such as the world has never enjoyed before.

It is for these reasons that my Government will gladly vote for the draft resolution sponsored by Australia, Brazil, Cuba, Netherlands, Norway, Pakistan, Philippines, and the United Kingdom.

## TEXT OF RESOLUTION

U.N. doc. A/1435  
Adopted Oct. 7, 1950

The General Assembly,

HAVING REGARD to its resolutions of 14 November 1947 (112 (II)), of 12 December 1948 (195 (III)) and of 21 October 1949 (293 (IV)),

HAVING RECEIVED and considered the Report of the United Nations Commission on Korea,<sup>2</sup>

MINDFUL of the fact that the objectives set forth in the resolutions referred to above have not been fully accomplished and, in particular, that the unification of Korea has not yet been achieved, and that an attempt has been made by an armed attack from North Korea to extinguish by force the Government of the Republic of Korea,

RECALLING the General Assembly declaration of 12 December 1948 that there has been established a lawful Government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea,

HAVING IN MIND that United Nations armed forces are at present operating in Korea in accordance with the recommendations of the Security Council of 27 June 1950, subsequent to its resolution of 25 June 1950, that Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

RECALLING that the essential objective of the resolutions of the General Assembly referred to above was the establishment of a unified, independent and democratic Government of Korea,

### 1. Recommends that

(a) All appropriate steps be taken to ensure conditions of stability throughout Korea;

(b) All constituent acts be taken, including the holding of elections, under the auspices of the United Nations, for the establishment of a unified, independent and democratic Government in the sovereign State of Korea;

(c) All sections and representative bodies of the population of Korea, South and North, be invited to co-operate with the organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified Government;

(d) United Nations forces should not remain in any part of Korea otherwise than so far as necessary for achieving the objectives specified in sub-paragraphs (a) and (b) above;

(e) All necessary measures be taken to accomplish the economic rehabilitation of Korea;

### 2. Resolves that

(a) A Commission consisting of Australia, Chile, Netherlands, Pakistan, Philippines, Thailand and Turkey, to

<sup>2</sup> U. N. doc. A/1350.



be known as the United Nations Commission for the Unification and Rehabilitation of Korea, be established to (i) assume the functions hitherto exercised by the present United Nations Commission in Korea; (ii) represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea; (iii) exercise such responsibilities in connexion with relief and rehabilitation in Korea as may be determined by the General Assembly after receiving the recommendations of the Economic and Social Council. The United Nations Commission for the Unification and Rehabilitation of Korea should proceed to Korea and begin to carry out its functions as soon as possible;

(b) Pending the arrival in Korea of the United Nations Commission for the Unification and Rehabilitation of Korea, the Governments of the States represented on the Commission should form an interim committee composed of representatives meeting at the seat of the United Nations to consult with and advise the United Nations Unified Command in the light of the above recommendations; the interim committee should begin to function immediately upon the approval of the present resolution by the General Assembly;

(c) The Commission shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of the present resolution, and shall render such interim reports as it may deem appropriate to the

Secretary-General for transmission to Members;

The General Assembly furthermore,

MINDFUL of the fact that at the end of the present hostilities the task of rehabilitating the Korean economy will be of great magnitude,

3. *Requests* the Economic and Social Council, in consultation with the specialized agencies, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly within three weeks of the adoption of the present resolution by the General Assembly;

4. *Also recommends* the Economic and Social Council to expedite the study of long-term measures to promote the economic development and social progress of Korea, and meanwhile to draw the attention of the authorities which decide requests for technical assistance to the urgent and special necessity of affording such assistance to Korea;

5. *Expresses* its appreciation of the services rendered by the members of the United Nations Commission on Korea in the performance of their important and difficult task;

6. *Requests* the Secretary-General to provide the Commission with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and per diem of a representative and alternate from each of the States members of the Commission.

## U.N. Commission on Korea Reports on Atrocities

U.N. doc. A/1434

Transmitted Oct. 6, 1950

1. In view of its immediate importance, the Commission submits [to the Secretary-General] herewith the following detailed information in respect of the perpetration of atrocities by North Korean authorities in specified liberated areas.

2. In submitting this information, the Commission wishes to point out that it is continuing to pursue its inquiries and that further information is being compiled. However, there is set forth below some preliminary detailed information obtained from two localities, namely, Taejon and the city of Seoul.

### I. TAEJON

3. A field observer team of the Commission visited Taejon on Saturday, 30 September 1950 and Sunday 1, October 1950 and has submitted a preliminary report containing the following detailed information:

#### *Central Police Station, Taejon*

4. At the time the field observer team arrived, a total of 11 bodies had been exhumed by United States Army Graves Registration personnel. While the total number remain-

ing in the ground had not yet been determined, it was then estimated that a total of approximately 35 to 40 was involved.

5. All the bodies seen on this site were those of United States soldiers. The bodies had been partially buried in a make-shift trench around the inside wall of the courtyard. Of the 11 bodies then seen by the field observers, several were in an emaciated state indicating an advanced stage of malnutrition. An examination of the bodies disclosed that, in some cases, the hands of the victims had been tied behind their backs. Several displayed wounds which seemed to indicate that they had been severely beaten. The nature of the wounds would lead to the assumption that they had been caused by an axe or other heavy instrument.

6. The remaining bodies in the trench had been heaped in a disorderly manner, which led the field observers to conclude that they had been shot and had then either fallen into or had been cast into the trench. Graves Registration personnel expressed the opinion that some of the bodies exhumed had been buried for only a few days.

7. The following day the field observer team, accompanied by two members of the Secretariat, returned to the Central Police Station. By 3 p.m., the bodies of 15 United

States soldiers had been exhumed, and the disinterment was continuing. Several more bodies were being uncovered in the ditch while the team was present.

8. A roster had been found in the Police Station after its occupation by the liberating forces. The name of one of the victims who had been positively identified by Graves Registration personnel appeared in this roster.

9. Mr. Cho Pong Jo, a 33-year old wine merchant, informed the field observer team that, at 10 a.m. on 27 September 1950, he had passed by the empty Police Station and had seen several women carrying away clothes from the courtyard. On entering the courtyard, he had noticed a long ditch in which one United States soldier was embedded still alive, but buried waist-high in dead bodies. With the help of another Korean, he had endeavored to extricate the soldier. The soldier had asked for a knife. Mr. Cho had obtained a knife and had severed the thongs binding the soldier's wrists. After removing the surrounding bodies, he had managed to pull out the soldier. He had laid him on a mat and had massaged his legs, which were still (numb) as a result of restricted circulation.

10. He had then heard another soldier shouting, and had returned to the ditch, where he found the man buried shoulder-high in dead bodies. He had extricated that soldier and had brought him to a near-by house.

11. He had not seen gunshot wounds on the bodies of the soldiers; both bodies had, however, been scarred and seemed to have been beaten by heavy instruments. The second soldier had a wound on the head which seemed to have been caused by an axe.

12. Mr. Park Tong Kyu, 70 years of age, informed the field observer team that, at 10 a.m. on 27 September, he had seen three United States soldiers in the courtyard of the Police Station, guarded by North Korean security forces. The latter had pushed the soldiers over, and had shouted "shoot."

13. He further informed the team that the two United States soldiers had been extricated between 11 and 12 a.m. on 27 September.

14. Of the two prisoners who had survived, one has since died. The observer team was given a copy of a sworn statement concerning these atrocities from the sole survivor, United States Army Sergeant First Class Carey H. Woinel, serial number 38009311.

#### *Taejon Prison*

15. A total of at least 200 bodies was seen in the rear courtyard of Taejon Prison. Two trenches, approximately 60 yards long, had been dug in what appeared to have been the vegetable garden of the prison courtyard. Most of the bodies were still lying in a confused mass in the trenches and, in addition, a large number lay on the edges of the trenches.

16. Examination revealed that the victims were all adult male Koreans. In almost every case, the victims' hands had been tied behind their backs. The bodies bore evidence of very severe beatings, in addition to gunshot wounds. From the state of the bodies, it was concluded that death had occurred approximately 3 or 4 days previously. Most bodies were clad in civilian clothes.

#### *Roman Catholic Church at Taejon*

17. The bodies of approximately 10 or 12 adult male Koreans were seen by the field observer team at the entrance to a crudely-constructed basement under the church hall.

18. The bodies all bore evidence of very severe beatings which, in the absence of visible gunshot wounds, led the team to conclude that the victims had been literally beaten to death.

19. In addition to these bodies, a considerable number was piled in the entrance to the shelter.

#### *Hillside approximately 400 yards north-west of the Roman Catholic Church*

20. Within a radius of about 200 yards, the bodies of approximately 400 adult male Koreans were seen. Several crudely-dug trenches were evident, each containing masses of bodies. In addition, a large number of bodies was observed lying scattered in a ravine. Several long mounds of earth had been erected, out of which protruded the limbs of further victims.

21. It was observed that many of the Koreans had been buried in a standing or crouching position up to waist or shoulder level. The visible portions of the bodies bore evidence of beatings and mutilation in addition to gunshot wounds.

22. Among the bodies were several wearing the uniform of the South Korean Police; the majority were, however, clad in civilian clothes.

23. Several newly dug trenches were also seen, which did not contain bodies.

24. Preliminary police investigation into the atrocities perpetrated on South Koreans was expected to be completed in approximately three days.

25. Local police stated that the people involved were probably important right-wingers and families of members of the National Police. Of 13 people in one family, 8 had been killed.

26. In the opinion of the police official in charge of the investigation, the atrocities had probably been perpetrated by members of the security forces rather than the North Korean Army.

27. The field observer team is of the opinion that:

(a) The atrocities in this area were perpetrated at some time between 22 and 29 September 1950.

(b) There is a possibility that the number of victims will be increased.

(c) Of the total number of victims, about 35 to 40 were United States prisoners of war.

(d) The blame for the atrocities can be largely attributed to the North Korean security forces.

#### II. SEOUL

28. On 30 September 1950, an observer team, accompanied by the Director of the Office of Public Information and the Vice-Minister for Foreign Affairs of the Republic of Korea, visited a place of execution in Seoul.

29. The team was guided into the heart of the residential area of the city, where little or no damage to property had been done, into a narrow street on which opened a courtyard about 30 yards square. The double

*(Continued on page 673)*

## Uniting for Peace

by John Foster Dulles

U.S. Representative to the General Assembly<sup>1</sup>

The United Nations has taken historic action in relation to Korea. What has been done by the Security Council, by the General Assembly, and by the members, has revived faith in the United Nations. It has brought new hope to many who, facing peril, had become fatalistic, doubting man's capacity to control the forces working for his destruction. Now we know that the nations of the world possess both the will to repress aggression and the capacity to do so and that this organization can be the means of forging that will and capacity into an effective collective instrument.

All of that is a reason for profound satisfaction. But also there is reason for grave concern. Korean events have dramatized organizational weaknesses which, in the future, could prevent the will and the capacity of the member states finding timely collective expression. If the United Nations is really to be formidable enough to deter those who plot aggression, these organizational weaknesses must be corrected. That is an urgent task of supreme importance.

If you would see how precarious was the margin of safety in Korea, ask yourself these questions:

1. Would the Security Council have acted promptly, or indeed at all, except that, at the decisive moment, one of the permanent members of the Security Council happened, for other reasons, to be absent?

2. Would the Security Council have had the information needed to justify quick and decisive action except that, 3 years ago, this Assembly happened to send a Commission to Korea to supervise elections there?

3. Would there have been United Nations forces to respond, in time to save the Republic of Korea, had it not been that 5 years ago, the United

States stationed military forces in nearby Japan, in order to police the Japanese armistice?

4. Might not the aggression in Korea have succeeded except for a series of accidents which, from the standpoint of the aggressor, amounted to extraordinarily bad luck?

Unless the United Nations does something to assure that the accidental, which served so well in Korea, will hereafter become dependable, potential aggressors can continue to hope and potential victims must continue to fear.

### Need for Organizing Collective Resistance

In the present state of international affairs, there is the same need for assured collective resistance to aggression that Marshal Stalin called for in March 1939. He then pointed out that—

... The non-aggressive states, primarily England, France and the United States ... have rejected the policy of collective security, the policy of collective resistance to the aggressors, and have taken up a position of non-intervention, a position of "neutrality."

Actually speaking,

The policy of non-intervention means conniving at aggression, giving free reign to war, and, consequently, transforming the war into a world war.

That warning went unheeded and that analysis proved correct. Six months later the series of little wars did in fact culminate in World War II.

We do not want that to happen again, and there is no reason why it should happen again. The peoples of the world are clearly in a mood to develop "collective resistance to the aggressors." They wait only for us, their representatives in this organization, to define the way.

Some may suggest that it is dangerous to respond, lest the building of bulwarks against aggression may annoy potential aggressors into aggressing more quickly. To such I say that inaction is no solution. It would confront each of our

<sup>1</sup> Statement made before Committee I (Political and Security) on Oct. 9 and released to the press by the U.S. Mission to the U.N. on the same date.



peoples and nations with three choices. Either (1) to accept, fatalistically, continuing exposure to piecemeal aggression which would presage general war; (2) to organize elsewhere and otherwise than within the framework of the present United Nations; (3) to revert to a condition of "each for himself and the devil take the hindmost."

The United States, at least, will not choose any one of these three courses so long as the other members of the United Nations want actually to use the now unused possibilities that reside in the present United Nations Charter.

### **The Three Goals**

Our Charter foresaw and provided for three basic security needs: (1) a central initiative which could be prompt and dependable; (2) means of information which would be reliable; and (3) a backing of power that would be ready.

The Security Council was given, in these three respects, "primary responsibility" (art. 24).

It was instructed to organize itself to insure "prompt action" by the United Nations to maintain international peace and security (art. 24).

It was authorized to investigate wherever there was "international friction" which was "likely to endanger the maintenance of international peace and security" (art. 34).

It was instructed to negotiate "as soon as possible" arrangements with the members for "armed forces," to be held in such "readiness and general location" as would be found appropriate (art. 43).

Five years have now gone by. We have seen that while the Security Council has in many respects served admirably the purposes for which it was set up, it cannot safely be left as our sole dependence in the three vital areas we have mentioned. There is always risk of veto, which already has been employed nearly 50 times. The Security Council has failed to establish any system of observation adequate to the needs of the present situation. And as regards armed forces, it has failed to take the initiative required of it under article 43 of the Charter.

### **Responsibility of the General Assembly**

These disappointments in the 5 years since the Charter came into force have been severe. But they are not the occasion for despair or resignation. The same instrument which placed on the Security Council the "primary" responsibility for the maintenance of international peace and security, the same instrument which authorized the veto in the Security Council, also by articles 10, 11, and 14, gave the General Assembly power to recommend even as to matters that might be vetoed. Take, for example, article 10. It gives the General Assembly power to make recommendations to the members on any matters "within the scope of

the present Charter" except in relation to particular disputes or situations then being dealt with by the Security Council.

I recall to you the circumstances leading to the adoption, in this form, of article 10. At San Francisco, the so-called "Little 45" had stoutly opposed the "veto power" demanded by the so-called "Big Five." Finally, in the closing days of the Conference, they agreed to accept the veto in the Security Council if Assembly powers were such that, if the Security Council were prevented from discharging its primary responsibility, the General Assembly could step in and discuss and recommend regarding such subjects as pacific settlement of disputes, breaches of the peace, the establishment of military contingents, etc. (chs. VI and VII). To insure that, they proposed to amend what is now article 10 by broadening the Assembly's right to recommend so that it could recommend as to "any matters within the scope of the present Charter."

The Soviet delegation at first declined to accept a broadening of article 10 which would prevent a veto in the Security Council from having finality. There was a resultant deadlock, while the day officially set for signing drew near. Finally, on June 19, 1945, the United States Ambassador at Moscow advised the Soviet Foreign Office that the United States felt it could not wait longer and would proceed with other nations. The next day the chairman of the Soviet delegation informed our Secretary of State that his Government, too, accepted the proposed broadening of article 10. With that last obstacle cleared away, the Charter was signed on June 26.

The powers of the General Assembly we now invoke were won that day in San Francisco. There is no occasion now to put them in question. Rather, now is the time to use the rights then so hard won. That is the proposal before you.

### **Emergency Special Sessions**

Part A would supply the possibility of prompt General Assembly recommendation if Security Council action is blocked. If peace is threatened, and if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security, then the General Assembly might, on 24-hour notice, be called into an emergency special session so that it could consider the situation and, if it deemed wise, recommend to the members that they take collective action.

Of course, Assembly "recommendations" are not the equivalent of "action" under chapter VII, which can be taken only by the Security Council. But recommendations, if made to a responsive membership, can be equally effective. The Security Council, in the Korea case, did not invoke its "action" powers. It gave no orders but only



"recommended." The response was not, on that account, less effective. Indeed, the voluntary response of 53 members was more impressive than a response that might have been ordered.

The General Assembly clearly has the right to amend its rules of procedure to provide for emergency special sessions. A few may feel that it is unwise to do so because, it is said, the Assembly might not deal "responsibly" with an emergency and, therefore, if the Security Council cannot act, it is better to abandon any United Nations effort to meet the danger collectively.

The United States delegation does not accept the view that "responsibility" is a monopoly of the few and of the great. We believe that an informed world opinion is the most responsible of all of the forces that influence the course of human events. The General Assembly more nearly reflects informed world opinion than any other body. The United States delegation has no fear that, at a moment of gravity, two-thirds of our members will act "irresponsibly." We believe they will reflect, better than any other body, the supremacy of "law" which in essence is the consensus of world opinion as to what is right. If the Assembly does that, then its recommendations will evoke a response. If not, they will automatically fail for, in these matters, moral judgments are our only reliable dependency.

The Security Council should, of course, have its chance to exercise its primary responsibility to maintain international peace and security. We hope it will perform. But if it fails, then the General Assembly has a duty promptly to consider the situation. The Charter expressly gives it that right and, if, having that right, the General Assembly abdicates, it would, in essence, be a partner in a conspiracy to frustrate the Charter and the hopes of mankind which reside in it. If, on the contrary, the General Assembly is prepared to function if the Security Council does not, that fact alone will induce the members of the Security Council to cooperate more fully to the end that the Security Council shall be the effective organ contemplated by the Charter.

#### **Peace Observation Patrol**

Part B would establish a more adequate system of observation. There would be a Peace Observation Commission composed of such members as the Assembly would decide, not including, we suggest, any of the so-called "great" powers. The Commission could draw on the panel of field observers already created by Assembly action. The Commission, which might act through regional sub-commissions, would go, or send field observers, to points of tension as indicated by the Assembly or the Interim Committee with, or course, the consent of the country concerned. They would be the eyes and ears of the United Nations. Their very pres-

ence would make aggression less likely. As Marshal Stalin said in 1939 of the League of Nations, it "might hinder the outbreak of war" if it could "serve as a place where aggressors can be exposed."

If, despite the risk of exposure, aggression did occur, and if the Security Council or, secondarily, this Assembly, had to deal with a breach of the peace, then the Observation Commission could supply prompt and reliable information to serve as a basis for action or recommendation.

Assembly commissions in Greece and Korea have already proved the immeasurable value of observation, in the one case perhaps preventing open aggression and in the other case making it possible to take prompt action to repress aggression. At a time of mounting and widespread tension, we believe that all nonaggressive states will welcome a development of the United Nations system of observation.

#### **Force in Readiness**

Part C would seek to bring the armed forces of members into readiness for United Nations service. The Assembly would recommend to the member states that each maintain within its national armed forces elements so trained they could promptly be made available for service as United Nations units if, on some subsequent occasion, the member should so determine. Compliance with this recommendation would involve no binding commitment, no specific earmarking and would be without prejudice to the use by each member of all of its forces, if needed, for purposes of individual or collective self-defense recognized in article 51 of the Charter.

In order that member states can, if they wish, obtain technical advice regarding the organization, training, and equipment of forces which could serve as United Nations units, it is proposed to establish, under the Secretary-General, a panel of military experts to be available to member states who wish to have such advice.

Every member of the United Nations has already assumed the basic obligation to have armed forces available (art. 43). The obligation has not been implemented because the Security Council has been unable to exercise the initiative prescribed by that article and negotiate the agreements which it contemplates. We believe that pending the conclusion of article 43 agreements, members should now be asked to take some first steps without awaiting further negotiation attempts in the Security Council. That there is both the need and the will has been demonstrated by Korea. There, a great weight of sacrifice had to be borne initially by a single member nation. Other members showed sincerely their regret at not having forces in a state of readiness. The lesson of that experience needs now to be applied. The General Assembly cannot order this. But it can recommend it to a membership which awaits that initiative.

## Future Planning

Part D would establish a Collective Measures Committee which would give further study to this whole problem of collective security and make a report, at least an interim report, to the Security Council and the General Assembly not later than next September. It would be instructed, in this connection, to take account of collective self-defense and regional arrangements under articles 51 and 52 of the Charter.

The details of these proposals are, of course, subject to collective judgments, which we invite. But we point out that, in their substance, they involve no goals which are not Charter goals. They invoke no means that are not Charter means. They would breathe life into a Charter program to which we are all committed but which, until now, has existed largely on paper.

To turn words into deeds is immensely significant and the pending proposals, like all proposals which are really meaningful, may encounter doubts and hesitations. But if members of the United Nations really want a stronger United Nations, now is the time to make it that. Later on may be too late.

For five consecutive annual sessions this General Assembly has met in an atmosphere of steadily mounting tension.

At first that tension found expression chiefly in verbal, ideological clashes. Then came threats of violence, then civil wars, then open armed attack with tanks, planes, and all the paraphernalia of modern war. Many fear that general war is the next inevitable stage.

The United States does not take that view. But we do recognize that the prevalent fear is a corroding and dangerous force. It diverts human effort from tasks that are curative and creative into efforts that, at best, are wasteful and, at worst, horribly destructive. It undermines the confidence which is essential to a healthy society. Indeed, fear of war, if it is not allayed, itself creates the conditions that make war more likely.

The paramount task of this Fifth Assembly is to allay that fear by assuring that there will be what our Charter refers to as "effective collective measures for the prevention and removal of threats to peace."

On June 25, and again on June 27, the United Nations Security Council initiated action in relation to Korea.<sup>2</sup> It recommended collective measures to restore peace. Fifty-three members of the United Nations responded in varying degrees to that call, and, today, land, air, and sea forces of 18 member nations are committed to serve under the United Nations flag, under United Nations command, to achieve United Nations goals.

For the first time in the long history of the human race, a world organization marshaled enough collective force to throw back an armed

aggression. It seemed that the dream of ages had at last come true and that the United Nations had become the effective instrument which was hoped for, and prayed for, by the war-tried peoples who 5 years ago established this organization "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind."

But now, there have come second thoughts and dire forebodings. Was the action in relation to Korea only an accident made possible by chance events unlikely to recur, so that the future remains one of opportunity to aggressors? Or has the action taken in Korea lit a flaming spirit within the body of the United Nations which will burn strong and steady to provide the vitality needed to make our organization an ever more powerful defender of the peace?

## A Last Chance?

We who sit here will have to find the answer to those questions and we ought, I think, to find them quickly. If we move now to consolidate the new mood that prevails and the new strength that it offers, then we believe that local aggressions will be unlikely and that peace will be more secure. For history shows that a series of successful local aggressions to gain added resources and improved strategic positions is the ominous prelude to general war.

If, however, we let slip this opportunity to organize the United Nations and its members' strength to deter local aggressions, if the popular mood again becomes one of cynicism, then such aggressions may recur and lead to general war.

Nothing that we can do will make peace certain. But we can make less likely that there will be little wars and big wars. That is worth doing.

In conclusion, let me point out that the measures we suggest do not involve acceptance of any particular theory as to the causes or nature of the present tension. Each, no doubt, has his own ideas about that. Also, no doubt, no one is wholly right or wholly wrong. The proposals before you do not rest upon any finding of guilt but rather on two general propositions, accepted since San Francisco: first, there is always a danger of aggression and of general war; second, a good preventive is the creation of effective collective resistance to aggression.

On these two propositions there is, I take it, general agreement.

The representatives of the Soviet Union profess to believe that the United States now has aggressive and warlike intentions which frighten them. If they really believe that, then they will want the protection that these proposals will afford. The proposals would be implemented chiefly by nations which have a devotion to peace that cannot be questioned and which, by no conceivable stretch of the imagination, can be regarded as conspirators for war. It is those nations that will primarily

<sup>2</sup> BULLETIN of July 3, 1950, pp. 5 and 7, respectively.

exercise the new responsibilities which we propose. It is from their ranks that will be chosen the Observation Commission, and only their votes would make possible the two-thirds majority needed for General Assembly recommendations.

Mr. Chairman, the door to peace is before us. We hold in our hands the key. Let us open the door and enter.

## TEXT OF DRAFT RESOLUTION<sup>1</sup>

U.N. doc. A/C.1/576/Rev. 1  
Dated Oct 14, 1950

The General Assembly,

RECOGNIZING that the first two stated Purposes of the United Nations are:

"To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the Peace", and

"To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace",

FINDING that international tension exists on a dangerous scale,

RECALLING its resolution 290 (IV) entitled "Essentials of Peace", which states that disregard of the Principles of the Charter of the United Nations is primarily responsible for the continuance of international tension, and desiring to contribute further to the objectives of that resolution,

REAFFIRMING the importance of the exercise by the Security Council of its primary responsibility for the maintenance of international peace and security, and the duty of the permanent members to seek unanimity and to exercise restraint in the use of the veto,

REAFFIRMING that the initiative in negotiating the agreements for armed forces provided for in Article 43 of the Charter belongs to the Security Council and desiring to ensure that, pending the conclusion of such agreements, the United Nations have at its disposal means for maintaining international peace and security,

CONSCIOUS that failure of the Security Council to discharge its responsibilities on behalf of all the Member States, particularly those referred to in the two preceding paragraphs, does not relieve Member States of their obligations or the United Nations of its responsibility under the Charter to maintain international peace and security.

<sup>1</sup> Presented to Committee I (Political and Security) by Canada, France, Philippines, Turkey, U.K., U.S., and Uruguay on Oct. 13, 1950.

RECOGNIZING in particular that such failure does not deprive the General Assembly of its rights or relieve it of its responsibilities under the Charter in regard to the maintenance of international peace and security,

RECOGNIZING that discharge by the General Assembly of its responsibilities in these respects calls for possibilities of observation which would ascertain the facts and expose aggressors; for the existence of armed forces which could be used collectively; and for the possibility of timely recommendation by the General Assembly to United Nations Members for collective action which, to be effective, should be prompt,

### A.

1. *Resolves* that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven members, or by a majority of the Members of the United Nations;

2. *Adopts* for this purpose the revisions in its rules of procedure set forth in the annex to this resolution;

### B.

3. *Establishes* a Peace Observation Commission, which for the calendar years 1951 and 1952 shall be composed of representatives of (9-14 Members), and which could observe and report on the situation in any area where there exists international tension the continuance of which is likely to endanger the maintenance of international peace and security. Upon the invitation or with the consent of the state into whose territory the Commission would go, the General Assembly, or the Interim Committee when the Assembly is not in session, may utilize the Commission if the Security Council is not exercising the functions assigned to it by the Charter with respect to the matter in question. Decisions to utilize the Commission shall be made upon the affirmative vote of two-thirds of the members present and voting. The Security Council may also utilize the Commission in accordance with its authority under the Charter;

4. The Commission shall have authority in its discretion to appoint subcommissions and to utilize the services of observers to assist it in the performance of its functions;

5. *Recommends* to all governments and authorities that they cooperate with the Commission and assist it in the performance of its functions;

6. *Requests* the Secretary-General to provide the necessary staff and facilities, utilizing where directed by the Commission the United Nations panel of field observers envisaged in resolution 297 (IV) B;



C.

7. *Invites* each Member of the United Nations to survey its resources in order to determine the nature and scope of the assistance it may be in a position to render in support of any recommendations of the Security Council or the General Assembly for the restoration of international peace and security;

8. *Recommends* to the Members of the United Nations that each Member maintain within its national armed forces elements so trained, organized, and equipped that they could promptly be made available, in accordance with their respective constitutional processes for service as a United Nations unit or units, upon recommendation by the Security Council or General Assembly, without prejudice to the use of such elements in exercise of the right of individual or collective self-defense recognized in Article 51 of the Charter;

9. *Invites* the Members of the United Nations to inform the Collective Measures Committee as soon as possible of the measures taken in implementation of the preceding paragraph;

10. *Requests* the Secretary-General to appoint, with the approval of the Committee provided for in paragraph 11, a panel of military experts who could be made available upon request of Member States which wish to obtain technical advice regarding the organization, training, and equipment for prompt service as United Nations units of the elements referred to in paragraph 8;

D.

11. *Establishes* a Collective Measures Committee consisting of representatives of (10-14) Members and directs the Committee, in consultation with the Secretary-General and with Member States as the Committee finds appropriate, to study and make a report to the Security Council and the General Assembly, not later than 1 September 1951, on methods, including those of part C of this resolution, which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter, taking account of collective self-defense and regional arrangements (Articles 51 and 52 of the Charter);

12. *Recommends* to all Members that they cooperate with the Committee and assist it in the performance of its functions;

13. *Requests* the Secretary-General to furnish the staff and facilities necessary for the effective accomplishment of the purposes set forth in parts C and D of this resolution;

E.

14. The General Assembly, in adopting the proposals set forth above, is fully conscious that enduring peace will not be secured solely by collective security arrangements against breaches of international peace and acts of aggression, but that a genuine and lasting peace depends also upon the observance of all the principles and purposes established in the Charter of the United Nations, and especially upon respect for and observance of human rights and fundamental freedoms for all and on the establishment and maintenance of conditions of economic and social well-being in all countries; and accordingly

15. *Urges* Member States to respect fully, and to in-

tensify joint action, in cooperation with the United Nations, to develop and stimulate universal respect for and observance of, human rights and fundamental freedoms, and to intensify individual and collective efforts to achieve conditions of economic stability and social progress, particularly through the development of underdeveloped countries and areas.

ANNEX TO DRAFT RESOLUTION ON UNITING FOR PEACE

The rules of procedure of the General Assembly are amended in the following respects:

1. The present text of Rule 8 shall become paragraph a of that Rule, and a new paragraph b shall be added to read as follows:

"Emergency special session pursuant to resolution— (V) shall be convened within twenty-four hours of the receipt by the Secretary-General of a request for such a session from the Security Council on the vote of any seven Members thereof, or of a request from a majority of the Members of the United Nations expressed by vote in the Interim Committee or otherwise, or of the concurrence of a majority of Members as provided in Rule 9."

2. The present text of Rule 9 shall become paragraph a of that Rule and a new paragraph b shall be added to read as follows:

"This Rule shall apply also to a request by any Member for an emergency special session pursuant to resolution — (V). In such a case the Secretary-General shall communicate with other Members by the most expeditious means of communication available."

3. Rule 10 is amended by adding at the end thereof the following:

"In the case of an emergency special session convened pursuant to Rule 8-b, the Secretary-General shall notify the Members of the United Nations at least twelve hours in advance of the opening of the session."

4. Rule 16 is amended by adding at the end thereof the following:

"The provisional agenda of an emergency special session shall be communicated to the Members of the United Nations simultaneously with the communication summoning the session."

5. Rule 19 is amended by adding at the end thereof the following:

"During an emergency special session additional items concerning the matters dealt with in resolution — (V) may be added to the agenda by a two-thirds majority of the Members present and voting."

6. There is added a new Rule to precede Rule 65 to read as follows:

"Notwithstanding the provisions of any other Rule and unless the Assembly decides otherwise, in case of an emergency special session the Assembly shall convene in plenary session only and proceed directly to consider the item proposed for consideration in the request for the holding of the session, without previous reference to the General Committee or to any other Committee; the President and Vice Presidents for such emergency special session shall be, respectively, the chairmen of those Delegations from which were elected the President and Vice Presidents of the previous session."



## U.S. To Support Austria in Maintaining Law and Order

[Released to the press October 7]

*Following is the text of a message, dated October 7, sent by Acting Secretary Webb to Chancellor Leopold Fige of Austria and the unofficial translation of a message, dated October 5, to Secretary Acheson from Foreign Minister Gruber of Austria.*

I have just received your telegram of October 5 addressed to Mr. Acheson in which you refer to the urgent request submitted by your Government to the Allied Council to take immediately appropriate measures to enable the Federal Government to accomplish its constitutional duties and appeal to the U.S. Government as an occupying power to support your Government in its efforts to maintain order.

The actions taken by your Government to maintain law and order in the face of recent Communist-inspired and Soviet-supported disturbances have the full support of this Government. I am particularly gratified at the courageous and determined manner in which your Government and the Austrian people have met and are meeting their responsibilities in the face of these illegal acts. Please be assured that this Government will take all proper action to fulfill its international commitments with respect to Austria and in particular to assure the maintenance of law and order in the areas of its responsibilities in Austria. Appropriate instructions are being issued to the United States High Commissioner.

I issued a statement to the press along the foregoing lines shortly prior to the time your telegram came to my attention and I hope that my views, and I am sure I speak for the American people as a whole, will serve to assure your Government and people of our confidence in them and of our deep appreciation of the firmness of purpose which they have displayed in their efforts to maintain independence and freedom of action under these trying circumstances.

\* \* \*

As a result of a new wage-price agreement, Communist Trade Union men, called together during the past few days by the Austrian Communist Party, tried to incite the Austrian workers to a general strike. This attempt, however, had no repercussion among the Austrian workers. Nevertheless, it soon became evident that in the Soviet occupation zone Communist elements, disappointed by this attitude of the working population, were proceeding to acts of violence and trying to disturb public order in various districts of the Soviet zone. Local police organs were not strong enough to expel the malefactors from certain Federal buildings, which they had illegally occupied. In view of this situation, the Federal Government

decided to send from Vienna detachments of police and gendarmerie to the places threatened. These organs did succeed in repulsing the Communist strikes from the Federal buildings occupied, but later they received from the local Soviet Kommandatura the order to leave the buildings, to return to Vienna and, thus, to reestablish the status quo, that is to let the malefactors again occupy the buildings in question. In proceeding in this manner, the local Soviet Kommandatura prevents the Federal Government from safeguarding with its own security organs public Austrian institutions and from maintaining order and security against an illegal activity. Consequently, the Federal Government saw itself in the necessity of today addressing the urgent request to the Allied Council to take, immediately, the appropriate measures to enable the Federal Government to accomplish its constitutional duties. The Federal Government herewith addresses a fervent appeal to the United States Government, as an occupying power, to support it in its efforts to maintain order in the country.

## Visit of Liberian Commission

On October 12, the Department of State announced the following Liberian Commission arrived in Washington to discuss matters of mutual interest:

Gabriel L. Dennis, Secretary of State for Liberia  
G. Abayomi Cassell, Attorney General for Liberia  
Charles B. Sherman, Liberian Government Economist

The Liberian Ambassador, C. D. B. King, will accompany the group; the Commission's tentative schedule includes:

- October 12: Courtesy calls on Secretary Acheson; Acting Assistant Secretary for Economic Affairs John E. O'Gara; and Acting Assistant Secretary for Near Eastern, South Asian, and African Affairs Burton Y. Berry  
Conference with State Department representatives from the Office of African Affairs and the Investment and Economic Development Staff
- October 13: Courtesy call on Ambassador Capus M. Waynick and discussions on Point 4 Technical Assistance possibilities in Liberia  
Courtesy call on Herbert E. Gaston, Chairman of the Board of the Export-Import Bank
- October 16: Discussions at the Export-Import Bank.  
Courtesy call on Elmer H. Bourgerie, Director, Office of African Affairs
- October 17: Luncheon at Prospect House as guests of Assistant Secretary George C. McGhee
- October 19: Courtesy call on the President (at noon)

October 23, 1950

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## Study Concerning Niagara River Requested of Joint Commission

[Released to the press October 10]

*Following is the text of a letter from Secretary Acheson to the United States Section of the International Joint Commission, Washington, D. C. The letter, dated October 10, sets forth terms of reference respecting investigation and report concerning remedial works to be constructed in the Niagara River pursuant to the provisions of the treaty of February 27, 1950,<sup>1</sup> regarding the uses of the waters of the Niagara River.*

I have the honor to inform you that the Governments of Canada and the United States of America have agreed to request the International Joint Commission to investigate and make a report containing:

(1) Recommendations concerning the nature and design of the remedial works necessary to enhance the beauty of the Falls in the Niagara River by distributing the waters so as to produce an unbroken crest-line on the Falls, in accordance with the objectives envisaged in the final report submitted to Canada and the United States of America on December 11, 1929, by the Special International Niagara Board and bearing in mind the provisions for the diversion of the waters of the Niagara River and the apportionment thereof, which have been agreed upon by the two Governments in the Treaty of February 27, 1950, respecting the uses of the waters of the Niagara River.

(2) Recommendations concerning the allocation of the task of construction of the remedial works as between Canada and the United States of America, having regard to the recommendations made under paragraph (1).

(3) An estimate of the costs of such remedial works.

In the conduct of its investigations, and otherwise in the performance of its duties under this reference, the International Joint Commission may utilize the services of engineers and other specially qualified personnel of technical agencies of Canada and the United States and will, so far as possible, make use of information and technical data which has been acquired by such technical agencies or which may become available during the course of the investigation, thus avoiding duplication of effort and unnecessary expense.

### *Treaty Enters Into Force*

[Released to the press October 10]

The treaty regarding uses of the waters of the Niagara River, which was signed at Washington on February 27, 1950, came into force at 3:00 p. m. today when the formal instruments of ratification were exchanged at Ottawa by the Prime

<sup>1</sup> BULLETIN of Mar. 20, 1950, p. 448. For complete text of treaty, see Department of State press release 177 of Feb. 27, 1950.

Minister of Canada, L.S. St. Laurent, and the United States Ambassador, Stanley Woodward. The treaty contains provisions designed to protect and enhance the scenic beauty of the Falls by the construction of remedial works and provides for the more effective use of the waters of this river, thereby increasing the potential hydroelectric power available at Niagara Falls for use in both countries. It was approved by the Canadian Parliament on June 19 and by the Senate of the United States on August 9, 1950, with a reservation concerning construction of the works in the United States which was accepted by the Canadian Government.

## Studies To Be Made of St. John River System

[Released to the press September 29]

*Following is the text of a letter from Acting Secretary Webb, dated September 28, 1950, addressed to the United States section of the International Joint Commission, Washington, D.C. The letter sets forth terms of reference respecting investigation and report pursuant to article IX of the Treaty Concerning Boundary Waters Between the United States and Canada, signed January 11, 1909, respecting the waters of the St. John River system.*

1. In order to determine whether waters of the Saint John River system could be more beneficially conserved and regulated, the Governments of the United States and Canada have agreed to refer the matter to the International Joint Commission for investigation and report pursuant to Article IX of the Treaty Concerning Boundary Waters Between the United States and Canada, signed January 11, 1909.

2. It is desired that the Commission shall determine and recommend, in its judgment, what projects for the conservation and regulation of the waters in the Saint John River system above Grand Falls, New Brunswick, would be practical in the public interest.

3. In making its recommendations, the Commission should indicate how the interests on either side of the boundary would be benefited or adversely affected thereby and should estimate the costs of such works or projects, including remedial works that may be found to be necessary as well as indemnification for damage to public and private property, and should indicate how these costs should be apportioned between the two Governments.

4. In the conduct of its investigation and otherwise in the performance of its duties under this reference, the Commission may utilize the services of engineers and other specially qualified personnel of the technical agencies of Canada and the United States and will so far as possible make use of information and technical data heretofore acquired or which may become available during the course of the investigation, thus avoiding duplication of efforts and unnecessary expense.

## Executive Order 10170 Amends Trade Agreements<sup>1</sup>

*Amendment of Executive Order No. 10082 of October 5, 1949,<sup>2</sup> Prescribing Procedures for the Administration of the Reciprocal Trade-Agreements Program*

WHEREAS Executive Order No. 10082 of October 5, 1949 (14 Fed. Reg. 6105) establishes the Interdepartmental Committee on Trade Agreements and the Committee for Reciprocity Information, each to consist of persons designated from their respective agencies by the Chairman of the United States Tariff Commission, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor and the Administrator for Economic Cooperation; and

WHEREAS it would be in the public interest to provide for the representation on said committees of the Department of the Interior:

Now, Therefore, by virtue of the authority vested in me by the Constitution and statutes, including section 332 of the Tariff Act of 1930 (46 Stat. 698) and the Trade Agreements Act approved June 12, 1934, as amended (48 Stat. 943; 57 Stat. 125; 59 Stat. 410; Public Law 307, 81st Congress), the said Executive Order No. 10082 of October 5, 1949 is hereby amended by adding after the comma following the word "Defense", in the second sentence of the paragraph numbered 1 thereof, the words "the Secretary of the Interior,".

HARRY S. TRUMAN

THE WHITE HOUSE,  
October 12, 1950.

## "Escape Clause" To Be Included in Swiss Trade Agreement

[Released to the press October 13]

The Department of State announced today that the Governments of the United States and of Switzerland had agreed upon an escape clause which will apply to the concessions in the United States-Swiss trade agreement of 1936, similar to the escape clause contained in the General Agreement on Tariffs and Trade concluded at Geneva in 1947. Under this clause, either party to the agreement may modify or withdraw an agreement concession if it finds that as a result of the concession and of unforeseen developments the product in question is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to a domestic industry.

Inclusion of the escape clause in the agreement was accepted by the Government of Switzerland in a note of October 13 replying to a United States note of August 10.

<sup>1</sup> 15 Fed. Reg. 6901.

<sup>2</sup> BULLETIN of Oct. 17, 1949, p. 593.

On August 17, 1950,<sup>1</sup> the Department of State announced that the 6-month notice of termination provided for in the agreement had been given to the Swiss Government. At the same time, however, it was announced that if the Swiss Government would agree, by October 15, 1950, to the inclusion of an escape clause in the agreement, the notice of termination would be withdrawn.

## President's Proclamation Terminates Certain GATT Concessions to China

[Released to the press October 13]

The President, on October 12, 1950, signed a proclamation terminating certain United States tariff concessions initially negotiated with China in the General Agreement on Tariffs and Trade concluded at Geneva in 1947.<sup>2</sup> This action was taken because of the withdrawal of China from the agreement effective May 6, 1950. Intention to withdraw some of the concessions was announced by the State Department on August 31<sup>3</sup> and a list of the concessions to be terminated was made public on September 13.<sup>4</sup>

Changes in the United States tariff rates resulting from termination of the concessions listed, will be effective on December 11, 1950, the sixtieth day following the issuance of the proclamation.

Not all concessions initially negotiated with China at Geneva are being terminated at this time. In certain cases, concessions initially negotiated with China are not being terminated because contracting parties to the General Agreement, other than China, have a substantial interest in the concessions in question. Under the General Agreement, parties having or claiming a substantial interest in items initially negotiated with China may request consultation with the United States before the concessions are terminated. A number of countries have requested such consultation on certain items. No action will be taken on those items on which consultation has been requested until the consultations are completed.

An exclusive trade agreement between the United States and Cuba, concluded at the same time as the General Agreement, provides that, under certain circumstances, United States tariff preferences on products of Cuba not included in the General Agreement shall be maintained at the margins that were in effect on April 10, 1947. Termination of the concessions to China will, in some cases, by removing the items concerned from the General Agreement, result in adding them to the list of Cuban products entitled to preferential treatment.

<sup>1</sup> BULLETIN of Aug. 28, 1950, p. 346.

<sup>2</sup> Proc. 2908; 15 Fed. Reg. 6981.

<sup>3</sup> BULLETIN of Oct. 2, 1950, p. 551.

<sup>4</sup> Department of State press release 942 of Sept. 13, 1950.



## INTERNATIONAL ORGANIZATIONS AND CONFERENCES

### Fourth World Power Conference, London, July 1950

*by William E. Warne*

*Assistant Secretary for Water and Power Development, Department of the Interior*

The World Power Conference (Wpc) is a permanent international organization which was founded in 1924, with headquarters at London, England. Its objective is to achieve the most efficient use of the world's resources of fuel and power. The Conference brings together producers and consumers of power and fuel, scientists, engineers, economists, and administrators who are primarily concerned with the development and utilization of the world's power resources. The Conference has no individual members but is composed of national committees. At the present time, 41 countries are members. The national committees normally include representatives of government departments, of learned and technical societies and institutions, of public utilities, of manufacturers associations, and of other interests concerned with the production or use of fuel and power.

Plenary meetings are normally held at intervals of 6 years. Following the first London Conference of 1924, the second plenary meeting was held at Berlin in 1930, and the third meeting was at Washington in 1936. The war interrupted successive meetings, and the fourth plenary meeting was held at London in July 1950. The program of the First World Power Conference centered around the problems of estimating the world's resources of fuel and power and the use of resources to the best advantage. The second Conference dealt with power problems from every angle, and the third Conference discussed the national power economy with 54 countries represented.

The constitution provides for sectional meetings designed to discuss limited aspects of the general program of the Conference. The Con-

ference has an affiliated organization, "The International Commission on Large Dams," created in 1929, under the initiative of the French Government. The Fourth Congress on Large Dams will meet at New Delhi, India, in January 1951, concurrently with a sectional meeting of the World Power Conference.

During the war, the work of the Conference was in abeyance, but, since that time, national committees have been set up in Egypt, Israel, Iceland, Pakistan, and Turkey.

The Fourth World Power Conference was held at London on July 10-15, 1950.<sup>1</sup> The theme was "World Energy Resources and the Production of Power."

The technical sessions, which were held July 11 through 14, considered 150 papers submitted by 27 countries under three major headings, as follows:

1. Energy Resources and Power Developments
2. Preparation of Fuels
3. Production of Power

Division (1) considered of reports from the national committees of 26 countries on their energy resources and development since 1924. Division (2) consisted of a group of papers on the preparation of liquid, solid, and gaseous fuels. Division (3) included a wide range of papers covering the latest developments in the production of power and associated problems, also production of steam power, gas turbines and jet engines,

<sup>1</sup> For members of the U.S. delegation, see BULLETIN of Aug. 7, 1950, p. 228.



water power, atomic energy, and other sources of energy, such as use of wind power, the heat pump, and utilization of the differences of the temperatures between the deep and surface waters of the seas.

The technical sessions were followed by a series of study tours to engineering developments. Thirteen alternate tours, lasting approximately a week, were made to the several industrial centers of England, Scotland, Wales, and to the power developments in northwest Scotland.

Delegates from 44 countries participated in the Fourth World Power Conference, and the following international organizations were represented: United Nations—Natural Sciences Department; International Electro-Technical Commission; International Gas Union; International Organization for Standardization; United Nations—Economic Commission for Europe; Union Internationale des Producteurs et Distributeurs d'Énergie Électrique; Conférence Internationale des Grandes Réseaux Électriques; International Commission on Large Dams of the Wpc.

The meetings of the World Power Conference are organized by the host national committees in cooperation with the central office at London. The papers are not read at the meetings but are circulated in full, in advance, as preprints grouped in sections and summarized in a general report which also suggests topics for discussion. This procedure enables the entire session to be spent in discussion based on previous consideration of the papers. The Conference has no official languages, the host national committees deciding on the languages to be used. Before the war, English, French, and German were usually chosen, and Spanish was added at the Washington Conference. At the Fourth World Power Conference, English and French were the official languages. The Conference used concurrent interpretation of discussions. The papers, discussions, and reports are published in the form of transactions of each meeting. These transactions are a valuable source of information on almost every aspect of the utilization of energy in all parts of the world.

### Energy Resources and Power Developments

The general subjects of the papers at the Fourth World Power Conference are reviewed below:

The 26 papers presented and discussed under this subject at the opening session covered an informative factual background of the world's energy resources. These papers were presented by countries covering almost 30 percent of the world's area and 40 percent of its population. The world picture, as a whole, is one of rapid exploitation of resources.

Development since 1924 has been faster than ever before, with the main world power resources so far exploited being coal, oil and attendant natural gas, and water power. Only the latter is per-

ennial, and although some countries are more fortunately situated than others, the rate of extraction of coal and oil gives rise to anxiety as to the future sources of energy for power production. Interesting to note was the fact that other perennial sources of energy, such as wind and tidal power, solar radiation, and atomic energy, are now the subject of scientific research and experiment. Future progress of these developments will undoubtedly be of more and more interest in the fuel economy of the world.

The development of high voltage transmission of electrical energy has advanced rapidly and has led to the interchange of energy across international boundaries to relieve the unequal natural distribution and requirements of the world's population and power resources. The question of foreseeable limits of economic transmission of electrical energy is one of continuing interest because upon this question depends the possibility of effective development of many of the energy resources located remote from consuming centers.

The energy resources of northern Europe are largely hydroelectric and these resources are being developed as rapidly as possible, while the energy resources of the British Isles are principally coal, which, at the present rate of consumption, will be exhausted in 100 to 200 years with only an insignificant amount of hydroelectric power. The relatively small water-power potentialities of the west coast of Europe and the dependence of that region primarily upon coal were discussed. Usable coal reserves of France are sufficient for about 100 years at the present rates of extraction.

In central Europe, the principal source of energy is water power with only a relatively small part of the potential development now being utilized. Farther to the east, Hungary has important coal and oil resources, sufficient to meet home demand and leave a surplus for export; she also possesses certain undeveloped hydroelectric potentialities.

In southern Europe, Italy's deficiency in power resources was brought out and it was estimated that, on the basis of the present construction program, approximately 82 percent of the economically useful resources will have been developed.

Africa appears to be largely in the exploratory stage with prospecting for oil and explorations for hydroelectric sites now under way.

India's liquid fuel resources are negligible and apparently no concern exists regarding her coal reserves. Only a fraction of her enormous water potentialities has, thus far, been developed.

In North America, coal continues to be the greatest source of energy and ample reserves are available for many hundred years. Annual oil production has trebled between 1924 and 1929, and, fortunately, the estimates of proved reserves have increased year by year to a greater extent than the output. Only about 20 percent of the present estimated potential water resources has, so far, been developed.

## Preparation of Fuels

The papers in this group reviewed the necessity for coal preparation as required by the various techniques of utilization. The range of coals available to industry is very wide in respect to size, type, and quality, and the main problem of the user is to select the alternate fuels which are available.

In the preparation of liquid fuels, papers were presented covering trends in quality and consumption of petroleum fuels. The high cost of increased octane antiknock quality of gasolines is prohibitive and attention should therefore be given to modification in design of automobile equipment. Despite the demand for kerosene and fuel oil, little development has occurred in these products, compared directly to the production. In the field of lubricating oils, the use of synthetic additives has been much developed and the basic process has also been improved.

Eight papers were presented discussing techniques of the manufacture of liquid fuels from coal or shale. These fuels are in either experimental or limited use but may be widely used if petroleum reserves diminish. The United States Bureau of Mines is making a widespread investigation on the problem of production of synthetic liquid fuels from shale oil in order to insure a supply of liquid fuels in the future.

Natural gas is making an increased contribution to the world's fuel supplies, not only in the United States but also in European countries. In the United States, this development is largely motivated by the desire to use economically a convenient and abundant fuel; in Europe by the desire to supplement other supplies of fuel and to replace imported fuels.

A final group of papers under the "Preparation of Fuels" discussed the production of gas from solid fuels. Of particular interest in this group of papers was the emergency production of gas from wood for vehicles designed to use gasoline during the Second World War. This development reached a high state of perfection and application in Sweden, and a vast fund of knowledge exists on the substitution of wood or charcoal for petroleum.

## Production of Power

The first group of papers under this division deals with production of steam power and the problems arising out of the tendency to use more low-grade and low-volatile fuel; problems in providing adequate supplies of cooling waters; determination of optimum size and grouping of turbo alternators and boilers; the choice of steam conditions with regard to advances in techniques, capital costs, operating costs and difficulties; and also the possibility of commercial use of gas turbines for the production of power.

One of the most outstanding developments in steam generation is the extent to which the fuel

economy has been assisted in many countries by burning with surprisingly high efficiency the fuels that would be of little use for other purposes. This development has not been achieved, however, without more liberally designed and therefore larger and more expensive boilers as well as more expensive dust extraction. Operation has been simplified by greater use of automatic and centralized controls, and better efficiency has followed the use of higher temperatures and pressures permitted by newer steels and by the greater use of reheat.

Nine papers were presented dealing with turbines and auxiliaries and outlining the present trends in the design of large steam turbines. The smaller dimensions of high speed, 3,600-revolutions-per-minute turbines are more suitable for high temperatures than 1,800-revolutions-per-minute machines, and the maximum size turbine at present, a tandem-compound treble-flow machine, is 153 megawatts at 3,600 revolutions per minute built in the United States. Swiss engineers discussed a 110 megawatt unit at 3,000 revolutions per minute intended for a French power station. This machine is of 3-cylinder, quadruple-flow type, whereas American practice would use only three exhausts up to 150 megawatts, 3,600 revolutions per minute and two exhausts for 100 megawatts. The United States has plants running with steam at pressures of 1,800 and 2,000 pounds per square inch and a large number of plants designed and some working at a steam temperature of 1,050 degrees Fahrenheit.

Modern trends in internal combustion engines were presented in six papers, and an important point was the emphasis on low fuel consumption in Great Britain as contrasted with the emphasis on performance in the United States.

Developments in gas turbines and jet engines were described in a group of papers which emphasized that the applications for the gas turbine are practically unlimited. The gas turbine was discussed in relation to use for power generation, aircraft propulsion, land and marine propulsion, and as an auxiliary to other forms of heat engines as well as a component in chemical and industrial processes. Apparently, the remaining major problem in the utilization of the gas turbine is cleaning the gas not only of solid matter but also of deleterious gaseous matter.

In connection with the production of water power, 13 papers were presented covering hydroelectric developments in many countries. In Canada, it was noted that ice conditions largely influenced designs, and a general trend in design is the increasing use of earth dams. Swedish power developments and features of design have been largely dictated by economic considerations and made possible by the excellent geological conditions. Notable is the replacement of steel pipe lines by downtake shafts and the extended adoption of underground stations. Some emphasis is



laid on the uneconomical features of the concrete gravity dam and its replacement in new schemes by other types, such as the concrete buttress dam and the rock-filled dam. Underground power stations are also used in Norway, the first one having been completed in 1921.

The paper by de Luccia and Eaber of the United States describes the designs that have been particularly influenced by the economic factor of rising costs of labor and materials and points out that, with more interconnections of power systems, larger size units are being used. Also, Francis and Kaplan turbines are being applied to higher heads than heretofore, with installations of 925 and 100 feet respectively now in operation. High-head Kaplan turbines have been in satisfactory operation for many years in European countries with heads up to 164 feet, and it is believed that a Kaplan runner can be designed with favorable cavitation characteristics up to a 200-foot head.

Two other papers were presented which reviewed American design and operation of hydroelectric power plants since 1936. Outdoor and semioutdoor installations continue to be used in an effort to reduce capital costs. To reduce operating costs many plants are being designed for nonattendant operation. One paper pointed out the operational advantages of a Pelton wheel which were obtained in the case of the Bridge River development in British Columbia by adopting a vertical arrangement and by using six jets to develop a total of 62,000 horsepower for each machine at a net head of 1,118 feet.

In the design and operation of powerhouse equipment, increased efficiency is the keynote together with simplification, standardization, and where possible, duplication.

Special trends are peak-load operation of hydroelectric plants in combination with steam, development of a large magnitude providing for high dams and large storage reservoirs for seasonal stream regulation, and diversion of flow from one watershed to another by tunneling or by pumping and extension of multipurpose river programs.

As an indication of revived interest in pumped-storage plants in the United States brought about by increased demand for peak load, reference was made to the intention to include, in the redevelopment of Niagara on the American side, a pumped-storage scheme. Recent experiments on a model pump-turbine reversible unit indicate that an efficiency of 88 percent can be obtained operating in either direction at the same speed. An Italian paper also described notable pumping plants for hydraulic storage schemes together with special features for these plants. The evolution of storage pumping sets on a grand scale, described by the Italian paper, is an outstanding achievement, reflecting the exceptional combination of natural conditions in Italy. Pumps absorbing 61,000 and 40,000 horsepower against heads of 940 and 1,960 feet, respectively, are remarkable quite apart from

their incorporation in hydroelectric storage schemes with attendant special problems. The introduction of an axial-flow-feeder pump to overcome suction difficulties and of an automatic bypass to simplify regulation are ingenious solutions by Italian engineers to two such problems.

An interesting Norwegian development was the design, production, and use of extra-high-head Francis turbines. The relative spheres of impulse reaction of the Kaplan turbines were discussed. 1,640 feet is given as a present upper limit for the reaction-type turbine, which has inherently higher efficiency, with the advantage of a larger capacity, higher speed alternator with smaller physical dimensions and corresponding reduction of installation costs. The paper points out that high-head reaction turbines are not suitable for running at low loads and recommends a minimum of 0.4 gate opening for turbines operating at 820 feet or more. The importance of fine clearances and the special precautions necessary to insure maintenance of them was emphasized.

Other sources of energy, such as recent developments in large-scale wind power generation in Great Britain, the possibility of developing tidal power, the application of natural steam to production of electrical energy in Italy, the industrial utilization of the differences of temperature between the deep and surface waters of the seas, at Abidjan on the Ivory Coast, and heat pump progress in the United States, were all discussed in four papers during one technical session. Although all of these sources of energy are still in the experimental or investigational stage, their continued development is of world importance.

Atomic energy for the production of power was discussed, and the many physical problems of radioactivity which must be overcome before an engineering evaluation of the possibilities of power from nuclear energy can be effectively attempted were pointed out. The forecasts for production of power from atomic energy presented at the Fourth World Power Conference were decidedly more conservative than some in the past.

The Fourth World Power Conference presented an opportunity for exchange of views between engineers and scientists on an international level. This Conference will do much to advance the technique of the production of power which is needed throughout the world to increase the standards of our civilization. Certainly, such interchange at the technical and industrial level will broaden international concord and will form a common basis for better international understanding.

The next sectional meeting of the World Power Conference at New Delhi will be devoted to discussions in fields which are of special importance to India and other Eastern countries. The general subject will be the "Use of Electricity in Agriculture" and "Coordination of the Development of Industries and Power Resources."



## Exercise of Criminal and Civil Jurisdiction Over Nationals of Members of the United Nations <sup>1</sup>

### FAR EASTERN COMMISSION POLICY DECISION

1. Japanese courts may, in the discretion of the Supreme Commander for the Allied Powers, and subject to the progressive relaxation of control of criminal jurisdiction by him, exercise criminal jurisdiction over all nationals of members of the United Nations (hereinafter referred to as United Nations nationals) in Japan with the following exceptions:

*a.* Members of the armed forces of any member of the United Nations;

*b.* United Nations nationals officially attached to or accompanying and in the service of the occupation forces;

*c.* United Nations nationals on official business in Japan;

*d.* members of the immediate families and dependents accompanying the above.

2. The jurisdiction of the Japanese courts in civil matters should extend to civil actions in which United Nations nationals are parties plaintiff or defendant, except that no civil jurisdiction of any sort should be exercised by the Japanese courts in cases in which any of the parties is within the purview of paragraph 1 above.

3. Persons falling in the excepted categories listed in paragraph 1 should only be subject to arrest by the Japanese police if Allied police are not present to perform the arrest, and if the offense, or threatened offense, involves bodily harm or serious damage to property. Persons arrested in such circumstances should be handed over forthwith to the occupation authorities.

4. When any United Nations national is confined to prison, is awaiting trial, or is otherwise detained in custody in Japan:

*a.* The Head of the Mission charged with the protection of his interests should be informed immediately.

*b.* The United Nations national concerned

should be made aware immediately of his right to inform the Mission charged with the protection of his interests of his circumstances and should be given the facilities to communicate with that Mission. Any such communication should be forwarded without delay.

*c.* A representative of the Mission charged with the protection of his interests should be permitted to visit without delay, to converse privately with, and to arrange legal representation for, the United Nations national concerned.

5. Where a United Nations national has been convicted and is serving a sentence of imprisonment, a representative of the Mission charged with the protection of his interests should, without limit to the number of visits, have the right to visit him in prison upon giving notice, that need not exceed 24 hours, to the appropriate authority, and to converse with him privately. The representative should also be allowed, subject to the prison regulations, to transmit communications between the prisoner and other persons.

6. *a.* Any sentence imposed by a Japanese court on a United Nations national should be brought immediately to the attention of the Head of the Mission charged with the protection of the interests of the United Nations national concerned.

*b.* The Supreme Commander for the Allied Powers should undertake the review of any capital or life sentence imposed by a Japanese court with respect to a United Nations national.

*c.* SCAP may, on his own authority or upon the request of the Head of the Mission charged with the protection of the interests of the United Nations national concerned, review any other decision of a Japanese court with respect to a United Nations national and take further action in respect thereto. SCAP should consult regarding any particular case with the Head of the Mission charged with the protection of the interests of the United Nations national concerned if so requested by the Head of the Mission.

<sup>1</sup> Policy decision approved by the Fec, Sept. 21, 1950, and released to the press on Oct. 3, 1950; a directive based upon this decision has been forwarded to the Supreme Commander for the Allied Powers for implementation.

7. The Supreme Commander should take such steps as he deems necessary to ensure that the rights of United Nations nationals subject to Japanese jurisdiction are protected.

8. The term, "United Nations nationals," as used in this document includes, wherever applicable, organizations and corporations of present or future members of the United Nations as well as natural persons.

9. This policy decision shall supersede the Far Eastern Commission policy decision of August 15, 1946, *Exercise of Criminal and Civil Jurisdiction over Nationals of Members of the United Nations*.

[Released to the press by FEC October 3]

The Far Eastern Commission, at its 200th meeting on 21 September, adopted a policy decision authorizing an extension of the jurisdiction of Japanese courts over nationals of members of the United Nations.

This decision—the 64th policy approved by the Far Eastern Commission since its first meeting on 26 February 1946—has been communicated to the Supreme Commander for the Allied Powers, General MacArthur, in a directive issued in the usual manner through the Joint Chiefs of Staff.

This policy decision supersedes a previous policy adopted by the Commission on August 15, 1946.<sup>2</sup> This earlier policy decision provided that "... no criminal jurisdiction of any sort will be exercised by the Japanese courts with respect to nationals of members of the United Nations." Such criminal jurisdiction was, instead, to be exercised by military courts of members of the United Nations. Civil jurisdiction of Japanese courts extended only over United Nations nationals who were not attached to or accompanying the Armed Forces.

The new policy decision leaves unchanged the scope of civil jurisdiction over United Nations nationals but extends criminal jurisdiction by Japanese courts over United Nations nationals, with the exceptions of those who are members of armed forces of any member of the United Nations, those officially attached to or accompanying and in the service of the Occupation Forces, those on official business in Japan, and members of the immediate families and dependents of these excepted categories. This liberalization of the area of criminal jurisdiction of Japanese courts is to take place "in the discretion of the Supreme Commander for the Allied Powers and subject to the progressive relaxation of control . . . by him."

The rights of any United Nations national detained by Japanese authorities are strictly safeguarded by provisions in the new policy decision to the effect that the Head of the Mission charged with the protection of his interests should be in-

formed immediately; that the detained person should be made aware of his right to inform the Mission charged with the protection of his interests of his circumstances, and that he should be afforded facilities to communicate with the Mission; and that a representative of his Mission should be permitted to visit him without delay and to arrange for legal representation on his behalf. If sentence should be imposed by a Japanese court on a United Nations national, provision is made that the Head of the Mission charged with the protection of his interests should be informed thereof. Review by SCAP of any capital or life sentence imposed on a United Nations national is mandatory, and any other decision with respect to a United Nations national may be reviewed by SCAP on his own authority or upon the request of the Head of the Mission representing the convicted person.

Approval of this policy decision not only relieves SCAP of the burden of maintaining judicial and penal facilities for the administration of justice in cases involving criminal offenses by United Nations nationals but also restores to Japan greater responsibilities in her internal administration.

## Americans Visiting Abroad

The Department of State announced on October 3 that 53 American scholars have received awards under the Fulbright Act to teach or conduct research abroad during the next academic year. This number is in addition to awards announced previously.<sup>1</sup>

The countries to which the scholars are assigned, together with the number participating, are:

Belgium and Luxembourg 4, Burma 4, France 15, Greece 2, Italy 1, the Netherlands 12, New Zealand 1, Norway 4, and the United Kingdom 10.<sup>2</sup>

Included in the above number are teacher exchanges arranged with Belgium and Luxembourg (4), France (11), and the Netherlands (9). In addition, one teacher will come to the United States from Belgium for whom there will be no replacement.

Agreements have been signed with the following countries which are now participating in the Fulbright program: Austria, Australia, Belgium and Luxembourg, Burma, China (suspended), Egypt, France, Greece, India, Iran, Italy, Korea (suspended), the Netherlands, New Zealand, Norway, the Philippines, Pakistan, Thailand, Turkey, and the United Kingdom.

<sup>2</sup> *Activities of the Far Eastern Commission*, report by the Secretary General, Department of State publication 2888, appendix 43, p. 106; see also BULLETIN of Sept. 8, 1946, p. 455.

<sup>1</sup> BULLETIN of Oct. 2, 1950, p. 549.

<sup>2</sup> For names and addresses of award recipients, see Department of State press release 1020 of Oct. 3, 1950.

## Violations of Human Rights in the Balkans

by Benjamin V. Cohen

U.S. Alternate Representative to the General Assembly<sup>1</sup>

For the third successive session the General Assembly and this Committee have on their agenda the item regarding the observance of human rights in Bulgaria, Hungary, and Rumania. In its resolutions of April 30 and October 22, 1949,<sup>2</sup> the General Assembly expressed its deep concern regarding the status of human rights in these countries.

The importance of this question to the General Assembly has not diminished in any respect. Three fundamental objectives of the United Nations are now clearly involved: first, the peaceful adjustment of international disputes; second, the observance of treaty obligations; and third, international cooperation in promoting universal respect for, and observance of, human rights and fundamental freedoms for all.

By ignoring the General Assembly's resolutions and the opinion of the International Court of Justice, the Governments of Bulgaria, Hungary, and Rumania have shown their disregard for the wishes of the United Nations and their unwillingness to seek the peaceful settlement of their disputes with other states through accepted international procedures. In fact, in clear violation of their peace treaty obligations, they have refused to cooperate in the procedures which the treaties explicitly laid down for the settlement of any dispute concerning their interpretation and execution.

Finally, it is a fact that the denial of human rights and fundamental freedoms in Bulgaria, Hungary, and Rumania has continued with no sign of a change for the better. We are concerned not only in what has happened but more particularly and importantly in what is happening in these countries. The three Governments have not only continued to tolerate this situation but have

themselves continued to direct and carry out the campaign which has deprived their citizens of the elementary civil and religious freedoms in flagrant contradiction of their solemn undertakings in the peace treaties to respect and guarantee these freedoms.

### Background Information on Human Rights

In its previous consideration of this item, the Assembly has proceeded in the spirit of article 33 of the Charter, under which the parties to a dispute should, first of all, seek a solution by peaceful means of their own choice such as negotiation, conciliation, or arbitration. The peace treaties, in this case, actually provided procedures for peaceful settlement agreed upon by the parties themselves. The General Assembly acted wisely and temperately in encouraging the parties to apply these procedures of their own choice as the best means to obtain a peaceful settlement. But the melancholy record is that, while the United States and other states which had brought the charges took all the steps called for by the treaties to effectuate their peaceful settlement, the Governments of Bulgaria, Hungary, and Rumania have from the very start refused and continue to refuse to take a single step to bring about a peaceful settlement of these disputes between the parties.

The original formal charges that the three Governments were violating the human-rights clauses of the treaties were made by the Governments of the United States, the United Kingdom, Canada, Australia, and New Zealand on April 2, 1949. The accused Governments denied the charges; but as a result of the world-wide indignation caused by the trial and imprisonment of Cardinal Mindszenty of Hungary and the Protestant churchmen in Bulgaria, the problem was brought before the General Assembly in the spring of 1949. The General Assembly on April 30, 1949, expressed the hope that the settlement procedures laid down in the treaties would be diligently applied in order

<sup>1</sup> Statement made before the *Ad Hoc* Political Committee on observance of human rights in Hungary, Bulgaria, and Rumania on Oct. 2, 1950, and released to the press by the U.S. Mission to the U.N. on the same date.

<sup>2</sup> BULLETIN of Nov. 7, 1949, p. 692.



to secure human rights and fundamental freedoms in these countries. The step-by-step account of the efforts of my Government and other governments associated with it in these charges is known to the members of the General Assembly from the record of diplomatic correspondence submitted 1 year ago.<sup>3</sup>

#### TREATY COMMISSION TO CONSIDER DISPUTES

Owing to the uncooperative attitude of the Bulgarian, Hungarian, and Rumanian Governments, and of the Soviet Union Government, it proved impossible to make any progress toward a settlement by direct negotiation or through the three heads of mission in each of the three countries, in accordance with the treaties. Consequently, the Governments of the United States, the United Kingdom, and other interested governments proceeded to the next stage envisaged by the peace treaties—the appointment of Treaty Commissions empowered to consider the disputes and to reach definitive and binding decisions in regard to them.

At the time the General Assembly met last autumn, the Bulgarian, Hungarian, and Rumanian Governments had already refused to join in establishing the Treaty Commissions. They refused even to send representatives, when invited, to sit with this Committee and explain their position. They gave every indication that they were unwilling to carry out their treaty obligations or to cooperate in any way to adjust the disputes which had arisen.

The General Assembly, however, with the full concurrence of the governments which had brought the original charges, wished to explore every avenue which might lead to an orderly solution under the treaties. The three accused Governments raised certain legal objections to the applicability of the treaty procedures. They had contended that no disputes existed and that they were under no obligation to appoint their representatives on the Treaty Commissions. To remove any doubt as to the validity of these objections, the General Assembly referred these issues to the International Court of Justice for an advisory opinion.

The three Governments, however, did not appear before the Court, but they did question the jurisdiction of the Court to render an advisory opinion touching upon the rights and duties of nonmembers of the United Nations. And, perhaps, the most important part of the Court's advisory opinion was its affirmation of its jurisdiction to answer the questions submitted by the General Assembly.

#### INTERNATIONAL COURT'S OPINION

The Court in its opinion, rendered in response to the first and second questions submitted by the

<sup>3</sup> U.N. docs. A/985, A/990.

General Assembly,<sup>4</sup> held that the diplomatic exchanges disclose disputes subject to the provisions of the peace treaties for the settlement of disputes and that the Governments of Bulgaria, Hungary, and Rumania are legally obligated to carry out those provisions of the treaties, including the provisions for the appointment of their representatives to the Treaty Commissions. Thus, the principal judicial organ of the United Nations clearly and unmistakably rejected the objections to the applicability of the treaties.

On one point, then, we can be certain. The Governments of Bulgaria, Hungary, and Rumania have willfully violated their obligation to settle disputes arising out of the peace treaties by the procedures provided in the treaties.

Under the Assembly resolution, the three Governments were then given 30 days from the date of the opinion of the Court to notify the Secretary-General of the United Nations that they had appointed their representatives to the Treaty Commissions. However, when they persisted in their refusal to do so even in the light of the findings of the Court, the advisory proceeding was resumed in accordance with the Assembly resolution, and the Court rendered an advisory opinion on July 18 of this year, in response to the third and fourth questions submitted by the Assembly.

In this second advisory opinion, the Court answered the third question submitted by the Assembly in the negative. It gave the advice that the Secretary-General, who had been authorized by the treaties to appoint the third member of a Treaty Commission in the event of the failure of the parties themselves to agree on the third member, was not authorized, however, to make such an appointment if one of the parties refused, even unlawfully, to appoint its representative to the Treaty Commission. Having answered the third question in the negative, the Court did not find it necessary to answer the fourth question involving the authority of two members of a Treaty Commission to proceed to a decision if one of the parties to the dispute refused to appoint its representative on the Commission. Obviously, if there is only one member on the Treaty Commission, there could arise no questions as to the authority of two members to proceed.

#### U.S. POLICY TOWARD COURT'S OPINION

The United States was one of the cosponsors of the Assembly resolution referring these questions to the Court. The United States will, of course, abide—as it indicated its prior intention to abide—by the letter and spirit of the opinion of the Court. The Court was asked to speak on these legal questions and it has spoken. Its word is the law for the United States in this matter.

It is no less the law of the case for the United

<sup>4</sup> BULLETIN of Apr. 10, 1950, p. 573.

States because the United States argued against the position taken by the Court in its second advisory opinion. It is no less the law of the case for the United States because the United States still hopes that the enlightened and well-reasoned position taken by the dissenting judges in the second advisory opinion may some day be accepted as the law of nations. The international law of the future, we hope, will not recognize the right of any state simply by reason of its own default to nullify obligatory procedures for the settlement of treaty disputes. No state should have the right to nullify treaty provisions by its own wrongful default. Treaties should be construed to give effect to their objectives, and treaty obligations should not be susceptible to easy escape or evasion. We should like to see rejected the "facade" theory of treaties, whereby treaties commit states only so long as it is pleasing to states to honor their commitments.

Evasion and default certainly have characterized the conduct of the three accused Governments from the very inception of the effort to have the charges against them fairly and objectively examined and settled. The three Governments have, from the start, attempted desperately to avoid all discussion and consideration of the question, either in negotiation or in conciliation procedures, either by the General Assembly or by the Treaty Commissions. This conduct has created, to say the very least, a very strong presumption of guilt. The three Governments have defended themselves only in propaganda statements. They are unwilling to defend their record before any tribunal, or any international body, and to be judged according to the evidence. The only conclusion is, I am sorry to say, that they have no serious defense. They are afraid of an impartial judgment.

This Committee, at earlier sessions, has heard a good deal of information on the violation of human rights in these countries. But the United States delegation has not attempted any systematic presentation of the evidence as it hoped to present such evidence to the Treaty Commissions. We have believed that a tribunal or commission such as the peace treaties envisaged, not this Committee, was the proper place for a hearing and weighing of the evidence. We supported the resolutions of April 30 and October 22 of last year, which carefully avoided conclusions as to the validity of the charges and urged that the peace treaty procedures be first diligently applied. Nevertheless, the United States has been ready to offer detailed and concrete evidence in support of these charges and to submit to a decision arrived at through legal, orderly, and objective processes. Otherwise, we should never have brought formal charges against the Governments of these three countries.

We still stand ready to cooperate with Bulgaria, Hungary, and Rumania to carry out the agreed treaty provisions for the settlement of disputes so that there may still be an objective inquiry into

the facts and an impartial examination and determination of the validity of our charges. The charges made in good faith and accompanied by our willingness to submit evidence to the Treaty Commissions, or to any other impartial tribunal, cannot be met, I submit, or answered by general denials impugning the good faith of the treaty powers or the nations represented in this General Assembly.

Were there any real indication of change of heart, a desire to return to the people of these countries their human rights and basic freedoms, there might be little need to review the acts of the past. But, unfortunately, the systematic and cynical disregard for human rights has continued to mark the course of these totalitarian regimes, as it had ever since they seized power.

#### **YALTA DECLARATION ON FUNDAMENTAL FREEDOMS**

The Yalta Declaration on liberated Europe, which pledged to the peoples formerly enslaved by the Nazis free elections and governments of their own choice, was not carried out in Bulgaria, Hungary, and Rumania owing to the attitude of the Government of the Soviet Union and of the Communist governments which it supported in those states. Similarly, the pledge of those three Governments, embodied in the peace treaties, to guarantee freedom of political opinion and other fundamental freedoms and basic human rights has never been fulfilled.

In all three countries, no man is permitted in the national assemblies, at public meetings, or in the press to voice his disagreement with the current line of the ruling group. In elections, he may, at great personal risk to himself, cast a ballot against a single list of government candidates; they give no real choice. Not once in Bulgaria, Hungary, or Rumania have the people, since the entry into force of the peace treaties, been allowed to express themselves in a free election.

#### **Current Violations of Human Rights**

We have been particularly concerned by what appears to be the steady deterioration in the administration of justice in these countries. The fundamental freedoms of individuals cannot be maintained without a system of justice which guarantees those freedoms in practice. But the judicial systems in those three countries have been "reorganized"—with the result that the individual has no protection whatever.

In the "reorganized" systems of justice, judges and lawyers, as well as the public, serve the political objectives of the ruling groups by strictly carrying out orders. The law and the courts have, in truth, been made instruments of political power and oppression.

In these countries, the world has been treated to a series of spectacles—miscalled "trials"—in which

all the actors (judges, prosecutors, defense lawyers, spectators—and even the accused, except occasionally when the plan went wrong) played their parts according to the script written by the political leaders of the regimes. Sudden and arbitrary arrest without cause; long detention incommunicado; confession induced by incessant interrogation, privation, and torture; staged trial, in which guilt is assumed and proclaimed from the start, and a heavy sentence: that has been the usual method by which a former leader of an opposition party, or a school teacher, or a priest, or any ordinary citizen, or a citizen of another state—or even an “unmasked” official of the Communist Party itself—is subjected to Cominform “justice.”

#### SHIPKOV CASE

Let me refer briefly, as an example, to one recent case in which the signed statement of the victim revealed to the world the methods of pressure and terror used against him. The man was Michael Shipkov, a law-abiding Bulgarian citizen whom the Bulgarian Communist leaders chose to seize, to terrorize, to torture, to degrade, to subject to a staged trial for political and propaganda purposes; and to sentence to 10 years at hard labor. His only “crime”—so far as we have been able to discover—was that he was employed by the American Legation as a clerk and translator. It suited the regime to deprive him of his liberty, to deny him all means of defending himself, and to wreck his life. Shipkov, the man, was broken. He has disappeared into the anonymous mass which populates the prisons and concentration camps of the totalitarian dictatorships of Eastern Europe. But his statement, a devastating factual exposure of the methods employed by those dictatorships, bears witness to the courage and spirit which inspires those thousands of ordinary men and women whose rights and whose freedoms the present rulers of these countries are determined to crush.

Shipkov's statement, which the United States Government made public last March,<sup>5</sup> exposes the falsity of the charges against him and reveals the brutal methods of pressure and torture by which men of character and integrity can be completely broken down and forced to describe in their own words imaginary crimes and to make false accusations against other innocent persons.

The Bulgarian Government has called this statement false. It points to Shipkov's “confession” at his trial.

If the Bulgarian Government wishes to prove its case, let it do so before the Treaty Commission or some other impartial tribunal. Let it permit Shipkov himself to testify before such a tribunal. The world cannot credit the “confessions” of those whose wills have been broken, who have been deprived of all legal rights of defense, and who have

no hope of escaping from the grasp of the police, regardless of their innocence or guilt.

It is perhaps ironic, but extremely significant, that the roster of the victims of this systematic terror includes not only the names of Cardinal Mindszenty and of Shipkov but also those of Rajk and Kostov. These two Communist stalwarts held high office in their respective countries at the time when the United States and other governments first brought formal charges of human rights violations. Together with their erstwhile colleagues, they summarily rejected the charges, denounced all attempts to have this question given appropriate international consideration, and themselves defended the persecution of those who disagreed with them as necessary action against spies and saboteurs.

Later, through the inexorable working of this system of terror—which seems to demand an endless stream of victims—these very men found themselves deprived not only of office and power but also of liberty: they were themselves placed in the dock as spies and saboteurs. They became the victims of the terror which they helped to create.

Their fate should cause Communists, as well as non-Communists, to realize that every human being has an interest and a stake in the universal observance of human rights.

The steadily lengthening series of political trials is damning proof of the complete moral corruption of the police and courts for purely political ends. As the love of freedom inherent in all people is not easily repressed, the regimes under the high command of the Cominform find their task of enchaining the minds and controlling the actions of others an unending one. For this reason, the terror to which totalitarian rule inevitably gives rise has spread and deepened and touches the lives of all persons within these countries—whatever their station or activity, or even ideology.

The charges which were made against the three Governments cannot be answered by general denials here from the few delegations which may defend the Governments of Bulgaria, Hungary, and Rumania. They can be met only by a willingness to answer the charges before an impartial tribunal such as the peace treaties provided. We seek the test of truth, but the test of oratory or the test of politics.

But the International Court of Justice had told us that, owing to the refusal of Bulgaria, Hungary, and Rumania to cooperate, the Peace Treaty Commissions cannot be established. So far as the settlement procedures of the peace treaties are concerned, a dead end has been reached; and we must face that fact.

#### General Assembly's Responsibility

What is the responsibility of the General Assembly in this situation? The Assembly decided,

<sup>5</sup> BULLETIN of Mar. 13, 1950, p. 389.



when the first item appeared on the agenda of the third session, that this was a proper subject for its consideration. It has twice declared its serious concern over the charges of violation of human rights. It cannot, in the face of mounting evidence that the systematic violation of human rights is continuing, cease to concern itself with this question merely because the accused parties have been able, by their own default, to frustrate the agreed arbitration procedures.

The Assembly has the right and the duty to condemn in no uncertain terms this default of the Bulgarian, Hungarian, and Rumanian Governments and to expose their bad faith before world public opinion. The refusal to cooperate in peaceful settlement procedures in violation of treaty obligations constitutes a defiance of the international community. In addition to exposing and condemning this defiance, the General Assembly should, at the very least, in the view of the United States delegation, provide some means whereby the facts regarding the substance of the charges can be made known to the world. The United States Government has in its possession a great deal of evidence which it is prepared to submit to any appropriate body named by the General Assembly or to the members of the United Nations in order that the United Nations may see the full record of deliberate disregard for human liberties and for treaty obligations.

To the members of the United Nations, which voted by impressive majorities for the two Assembly resolutions on this subject, fundamental issues are involved in this case. If the provisions of the Charter concerning human rights and fundamental freedoms are to be taken seriously, if explicit treaty obligations have any meaning, then, we cannot ignore what has been taking place in Bulgaria, Hungary, and Rumania.

The rights and freedoms of individuals, as the world has learned by bitter experience, have a direct bearing on the freedom and independence of nations and on the maintenance of peace. Governments which do not respect the rights of their own citizens are not likely to respect the rights of other nations.

It is not an accident that the same three Governments—and in particular the Bulgarian Government—have consistently disregarded accepted diplomatic practices which characterize the relations among civilized states members of the international community. It is no accident that these three Governments join with other governments responsive to Cominform dictates in supporting the aggression against the Republic of Korea. It is no accident that these same governments are presently engaged in provocative campaigns against the neighboring states which do not conform their policies to those proclaimed by the Cominform.

The suppression of fundamental rights has stifled the voice of the people in Bulgaria, Hungary, and Rumania. Through the instrumental-

ity of an imposed minority regime, each of these countries now speaks with a single voice, and it is the voice of a foreign power, the foreign power which controls the Cominform. These regimes have been as contemptuous of the General Assembly and of what its members have been striving to do in support of the principles of the Charter as they have been of the elementary principles of freedom of their own people.

The Assembly, if it is to heed the conscience of mankind, must concern itself with the situation which these open violations of human rights and of treaty obligations have presented. It must, at the very least, see that all the pertinent facts are made available. The world should be left in no doubt as to the facts in this case. And, if the facts are known, my Government feels confident that the world will not be left in doubt as to the fundamental issues. If the facts are known, the governments responsible for them cannot eternally disregard the acknowledged rights of man.

We persist in our efforts to secure treaty observance of human rights and fundamental freedoms in these countries. We do this not to annoy or embarrass their Governments but to seek a basis of peaceful understanding with them. If ever we are to lay the basis of peace and understanding, we must all strive to agree upon the basic human rights and freedoms which all governments—whatever be their ideology—will observe and respect. We must never forget that internal terror and aggression have, in the past, led to external aggression and war, and that must not happen again.

EDITOR'S NOTE: For additional data concerning human rights, see BULLETIN of Dec. 19, 1948, p. 752; Mar. 27, 1949, p. 391; Apr. 10, 1949, p. 450; Aug. 15, 1949, p. 238; Jan. 16, 1950, pp. 91, 97; Mar. 20, 1950, p. 444; May 8, 1950, p. 737; June 12, 1950, pp. 945, 949; July 31, 1950, p. 190; Aug. 7, 1950, p. 233; and Sept. 25, 1950, pp. 483, 490.

## New General Assembly Agenda Items

The following additional items were adopted by the fifth regular session of the General Assembly on October 7, according to United Nations document A/1400/Add.1: the question of Formosa; duties of states in the event of the outbreak of hostilities; establishment of a permanent commission of good offices; provision of a United Nations distinguishing ribbon or other insignia for personnel participating in Korea in the defense of the principles of the Charter of the United Nations; and complaint by the Union of Soviet Socialist Republics regarding the violation of Chinese air space by the air force of the United States of America and the machine gunning and bombing of Chinese territory by that air force, and against the bombardment and illegal inspection of a merchant ship of the People's Republic of China by a military vessel of the United States.

Department of State Bulletin

## Resolutions on Freedom of Information and of the Press<sup>1</sup>

U.N. doc. E/1827  
Adopted Aug. 9, 1950

### A

The Economic and Social Council,

*Takes note* of the report of the Sub-Commission on Freedom of Information and of the Press (Fourth Session).<sup>2</sup>

*Requests* the Secretary-General to transmit to the Sub-Commission the records of the relevant discussion at the eleventh session of the Council.<sup>3</sup>

### B

WHEREAS the General Assembly in its resolution 59 (I) authorizing the holding of the United Nations Conference on Freedom of Information declared that freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated,

WHEREAS freedom to listen to radio broadcasts regardless of source is embodied in article 19 of the Universal Declaration of Human Rights, which reads "Everyone has the right to freedom of opinion and expression" and this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers,

WHEREAS article 44 of the International Telecommunication Convention, Atlantic City, 1947, provides that "All stations whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio service or communications of other Members or Associate Members . . . Each Member or Associate Member undertakes to require the private operating agencies which it recognizes, and the other operating agencies duly authorized for this purpose, to observe the provisions of the preceding paragraph", and

CONSIDERING that the duly authorized radio operating agencies in some countries are deliberately interfering with the reception by the people of those countries of certain radio signals originating beyond their territories,

The Economic and Social Council:

*Declares* this type of interference to be a violation of the accepted principles of freedom of information; condemns all measures of this nature as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers;

<sup>1</sup> See U.N. doc. E/SR.405.

<sup>2</sup> See U.N. doc. E/1672.

<sup>3</sup> See U.N. docs. E/AC.7/SR.135-139 and E/SR.405.

*Transmits* to the General Assembly the records of the discussion on this subject in the Council; and

*Recommends* to the General Assembly that it call on all Member Governments to refrain from such interference with the right of their peoples to freedom of information,

### C

The Economic and Social Council

*Recommends* to the General Assembly that it adopt the following resolution:

"CONSIDERING that freedom of information and of the Press is a fundamental human right and should be advanced and safeguarded in all circumstances, and,

"CONSIDERING that limitations have been placed on this right in emergencies or the pretext of emergencies,

"The General Assembly,

"*Recommends* to all Member States that when they are compelled to declare a state of emergency, measures to limit freedom of information and of the Press shall be taken only in the most exceptional circumstances and then only to the extent strictly required by the situation".

### D

The Economic and Social Council

CONSIDERING that for economic reasons serious problems have arisen in various countries of the world with regard to the supply of newsprint,

CONSIDERING that this situation has caused certain Governments to intervene officially in the sale and purchase of newsprint, either by restricting the amount of foreign currency allocated for its importation or by rationing it among the various organs of the Press, or by regulating the use by press enterprises of the newsprint placed at their disposal,

CONSIDERING that governmental interference in these matters has led in certain cases to confiscation or other forms of arbitrary and discriminatory action, which it is desirable to avoid,

*Invites* the Member States concerned to put an end to such confiscatory measures and discriminatory actions as being contrary to freedom of the Press.

### E

The Economic and Social Council,

*Requests* the Secretary-General:

1. To communicate to information enterprises and na-

tional and international professional associations, for comment and suggestions (including comment on the usefulness of such a code) to be returned to the Secretary-General, the draft international code of ethics formulated by the Sub-Commission on Freedom of Information and of the Press at its fourth session, together with the relevant section of its report;

2. To analyze the comments received and submit them to the Sub-Commission on Freedom of Information and of the Press at its fifth session in order that it may re-examine the draft in the light of these comments and recommend any further action it may deem desirable, including the possibility of convening an international professional conference.

## F

The Economic and Social Council,  
Requests the Secretary-General:

1. To continue to approach Governments with a view to obtaining regularly from them the new legislative and administrative measures which they may deem it necessary to take with regard to freedom of information and of the press;
2. To obtain from the enterprises or associations mentioned therein, in accordance with paragraphs 2 and 3 of resolution 240 B (IX) of the Council, any reports or surveys that they may compile concerning the current status of freedom of information in any part of the world; and
3. To compile all pertinent data, analyze all information received, conduct appropriate research and prepare studies thereon for submission to the Sub-Commission on Freedom of Information and of the Press at each session.

## U.S. Delegations to International Conferences

### Eleventh Session of ECOSOC

On October 11, the Department of State announced that the eleventh session of the United Nations Economic and Social Council (Ecosoc) will reconvene at Lake Success on October 12 with the following United States delegation in attendance:

#### United States Representative

Isador Lubin

#### Deputy United States Representative

Walter Kotschnig, director, Office of United Nations Economic and Social Affairs, Department of State

#### Advisers

Philander P. Claxton, special assistant, Congressional Relations, Department of State  
Edward W. Doherty, officer in charge, Economic Affairs, Bureau of Far Eastern Affairs, Department of State  
Dallas W. Dort, special assistant, Economic affairs, Department of State  
George M. Ingram, chief, Division of International Administration, Department of State  
Otis E. Mulliken, officer in charge, United Nations Social

Affairs, Office of United Nations Economic and Social Affairs, Department of State

The eleventh session is reconvening to carry out the responsibilities assigned to Ecosoc in a resolution adopted by the fifth session of the General Assembly of the United Nations on October 7. That resolution requested that Ecosoc, in consultation with the specialized agencies of the United Nations, develop plans for the relief and rehabilitation of the civilian population of Korea after the termination of hostilities. The resolution also recommended that Ecosoc expedite the study of long-term measures to promote the economic development and social progress of Korea and take immediate steps to bring to the attention of the authorities concerned with technical assistance the urgent and special necessity of affording such assistance to Korea.

### ICAO: Middle East Regional Meeting

On October 12, the Department of State announced the following United States delegation will attend the second Middle East Regional Air Navigation Meeting of the International Civil Aviation Organization (ICAO) to be convened at Istanbul on October 17:

#### Delegate

Robert W. Craig, *Chairman*, acting air route organization officer, Program Planning Staff, Civil Aeronautics Administration, Department of Commerce

#### Alternate Delegates

James F. Angier, Establishment Engineering Division, Office of Federal Airways, Civil Aeronautics Administration, Department of Commerce  
James D. Durkee, chief of the International Branch, Aviation Division, Federal Communications Commission  
Norman R. Hagen, meteorological attaché (U. S. Weather Bureau), American Embassy, London  
James L. Kinney, ICAO representative, Flight Operations Division, Office of Aviation Safety, Civil Aeronautics Administration, Department of Commerce  
Clement Vaughn, Commander, USCG, Search and Rescue Agency, Headquarters, United States Coast Guard  
Edward A. Westlake, air traffic control specialist, Air Traffic Control Division, Office of Federal Airways, Civil Aeronautics Administration, Department of Commerce

#### Advisers

William A. Breniman, deputy chief, Communications Division, Office of Federal Airways, Civil Aeronautics Administration, Department of Commerce  
E. Thomas Burnard, assistant to vice president, Operations and Engineering, Air Transport Association of America  
Reuben H. Clinkscales, flight operations specialist, International Standards Division, Civil Aeronautics Board  
Commander W. F. Dawson, USN, head, Air Space Section, Civil Aviation Liaison Branch, Office of Naval Operations  
Maj. Paul M. Huber, USAF, chief, International Advisory Office, 2105th Air Weather Group, Wiesbaden, Germany  
Maj. Grove C. Johnson, USAF, assistant chief, ICAO Branch, Civil Air Division, Headquarters MATS  
Arthur L. Lebel, assistant chief, Telecommunications Policy Staff, Office of Transport and Communications Policy, Department of State



Capt. William N. Manley, USAF, AACS liaison officer, 1807 AACS Wing, USAFE, Wiesbaden, Germany  
 William C. Peck, civilian chief, Installations Planning Division, Headquarters, United States Air Force  
 Arthur C. Peterson, assistant chief, Domestic Aviation Section, United States Weather Bureau, Department of Commerce  
 Lt. Vernon D. Stanford, USN, stationed: U. S. Naval Air Activities, Port Lyautey, French Morocco

#### Secretary

John Frazer, Jr., Division of International Conferences, Department of State

In 1946, ICAO initiated a series of regional meetings, the major purpose of which is to survey existing air navigation facilities and to make recommendations for necessary improvements. The meetings also consider the application of the international standards to the requirements of particular regions in the following fields: aerodromes, air routes and ground aids; air traffic control; communications; meteorology; operating standards; and search and rescue. The purpose of the forthcoming meeting is to review the status of implementation of recommendations of the first Middle East Regional Meeting, held at Cairo in October 1946, and to revise, on the basis of present operational requirements, the regional plan prepared at that meeting.

Participation in this meeting is open to ICAO member states of the Middle East region and to those ICAO member states whose airlines operate in or through the region. Invitations are also extended to selected nonmember states when they appear to have an interest in the affairs of the region.

#### UNCOK—Continued from page 650

doors of this courtyard were opened and the observer team saw that it was covered with corpses, possibly 40 or 50, obviously lying where they had been killed. The observer team saw that the bodies were those not only of men, but of women, and in some cases with infants on their backs. The corpses were scattered over the whole courtyard and up the walls of the house beyond. It was not physically possible to walk into the yard or to see what further evidence lay inside the house.

30. According to information received these bodies were those of persons loyal to, or related to persons loyal to, the Republic of Korea. When it was certain that the fall of the city was imminent they were herded together in this courtyard and shot without any trial or other proceedings by the North Korean soldiers.

31. The observer team was not able, on this occasion, to establish the identity of any of the bodies. They appeared to be all civilians.

32. In conclusion, additional information will be received from the localities mentioned above. Owing to communication difficulties, further information has not yet been communicated to the Commission in full from other areas where atrocities have been committed and where the Commission's field observers are pursuing their inquiries.

## THE CONGRESS

### Legislation

Convention With Canada Modifying and Supplementing the Convention Relating to Estate Taxes and Succession Duties. Message from the President of the United States transmitting the convention between the United States and Canada, signed at Ottawa on June 12, 1950, modifying and supplementing in certain respects the convention for the avoidance of double taxation and the prevention of fiscal evasion in the case of estate taxes and succession duties, signed at Ottawa on June 8, 1944. S. Ex. S, 81st Cong., 2d sess., 8 pp.

Permitting the Admission of Alien Spouses and Minor Children of Citizen Members of the United States Armed Forces. S. Rept. 1878, 81st Cong., 2d sess. [To accompany S. 1858] 2 pp.

Foreign Agents Registration Act. S. Rept. 1900, 81st Cong., 2d sess. [To accompany H. R. 4386] 4 pp.

Protection of Fur Seals in Pribilof Islands. S. Rept. 1924, 81st Cong., 2d sess. [To accompany S. 3123] 2 pp.

Expressing Praise of the Services of the Late Ambassador to Canada, Hon. Laurence A. Steinhardt. S. Rept. 1926, 81st Cong., 2d sess. [To accompany S. Res. 276] 1 p.

General Appropriations Bill, 1951. (Department of State, pp. 23-30.) S. Rept. 1941, 81st Cong., 2d sess. [To accompany H. R. 7786] 303 pp.

Preventing Unauthorized Acceptance or Wearing of Foreign Decorations by Officers of the United States. S. Rept. 2008, 81st Cong., 2d sess. [To accompany S. 1171] 5 pp.

Providing for the Expeditious Naturalization of Former Citizens of the United States Who Have Lost United States Citizenship Through Voting in a Political Election or in a Plebiscite Held in Italy. S. Rept. 2019, 81st Cong., 2d sess. [To accompany H. R. 6616] 4 pp.

Certain Cases in Which the Attorney General Had Suspended Deportation. S. Rept. 2033, 81st Cong., 2d sess. [To accompany S. Con. Res. 97] 2 pp.

Amending Section 34 of the Trading With the Enemy Act. S. Rept. 2051, 81st Cong., 2d sess. [To accompany S. 3901] 6 pp.

Granting of Permanent Residence to Certain Aliens. S. Rept. 2081, 81st Cong., 2d sess. [To accompany H. Con. Res. 187] 2 pp.

Granting of Permanent Residence to Certain Aliens. S. Rept. 2091, 81st Cong., 2d sess. [To accompany H. Con. Res. 181] 2 pp.

Implementation of the Tuna Conventions. S. Rept. 2094, 81st Cong., 2d sess. [To accompany S. 2633] 6 pp.

International Boundary and Water Commission, United States and Mexico. S. Rept. 2095, 81st Cong., 2d sess. [To accompany S. 3934] 10 pp.

Amending Section 32 (A) (2) of the Trading With the Enemy Act. S. Rept. 2097, 81st Cong., 2d sess. [To accompany S. 1292] 5 pp.

State Department Employee Loyalty Investigation. Report of the Committee on Foreign Relations pursuant to S. Res. 231. A resolution to investigate whether there are employees in the State Department disloyal to the United States. S. Rept. 2108, 81st Cong., 2d sess., 313 pp.

State Department Employee Loyalty Investigation. Hearings before a subcommittee of the Committee on Foreign Relations, United States Senate, 81st Cong., 2d sess., pursuant to S. Res. 231. A resolution to investigate whether there are employees in the State Department disloyal to the United States. Part I, March 8, 9, 13, 14, 20, 21, 27, 28, April 5, 6, 20, 25, 27, 28, May 1, 2, 3, 4, 26, 31, June 5, 6, 7, 8, 9, 12, 21, 22, 23, 26, 28, 1950. 1484 pp. [Indexed].

Amending Sections 32 and 33 of the Trading With the Enemy Act. H. Rept. 2338, 81st Cong., 2d sess. [To accompany S. 603] 11 pp.

## The United States in the United Nations

[October 12-19]

### General Assembly

After 10 days of discussion, the General Assembly's Committee I (Political and Security) approved, by an overwhelming vote, on October 19 a revised text of the seven-power Uniting for Peace resolution originally presented by United States representative, John Foster Dulles. On October 13, the cosponsors submitted a modified text which took into account certain views expressed by other delegations but involved no departure from the essentials of their first proposal. As finally approved by a vote of 50-5, with 3 abstentions, the draft resolution also names the members of the Peace Observation Commission and the Collective Measures Committee, on both of which the United States is included.

Following its adoption of the seven-power resolution, Committee I approved, with the U. S. S. R. abstaining, a Soviet draft resolution recommending to the Security Council that it take steps to insure the effectiveness of chapter VII of the Charter concerned with threats to the peace, breaches of the peace, and acts of aggression after the original text had been amended to provide that nothing in it should prevent the General Assembly from fulfilling its functions under the Uniting for Peace resolution. A second Soviet resolution recommending five-power consultations under article 106 of the Charter was defeated.

*Ad Hoc Committee.*—On October 19, the *Ad Hoc* Committee adopted by a vote of 53-1, with the Soviet bloc abstaining, a compromise draft resolution on Libya, which had been cosponsored by 13 members. The approved resolution, which only France opposed, recommends (1) that a Libyan National Assembly be convened before January 1, 1951; (2) that this Assembly establish a provisional Libyan Government as soon as possible; and (3) that a progressive transfer of powers to this government take place, under the guidance of the United Nations Commissioner and Libyan Council, to insure that by January 1, 1952, all the powers at present exercised by the administering powers will have been transferred to the Libyan Government. The resolution further urges the Economic and Social Council, the specialized agencies, and the United Nations Secretary-General to extend such technical and financial assistance as Libya may request, and reaffirms an earlier General Assembly recommendation that Libya be admitted to the United Nations upon its establishment as an independent state.

*Committee II.*—The general debate on economic development was concluded in Committee II (Economic and Financial) on October 19 with a statement by Senator John J. Sparkman. The United States, he said, would endeavor to further economic development through private investment, the Export-Import Bank, the International Bank, the technical assistance program, and the specialized agencies until such time as assurance of lasting peace made it possible to "beat our tanks into dynamos and our guns into machines and factories for industrial and economic development throughout the world." The Committee then began discussion of seven draft resolutions and four amendments relating to economic development.

*Committee III.*—By a vote of 43-8, with one abstention, Committee III (Social Humanitarian and Cultural) approved on October 18 an amended resolution, originally introduced by Australia, under which the United Nations International Childrens' Emergency Fund would be continued on its present basis for a 3-year period, after which its future would be reviewed "with the object of continuing the fund on a permanent basis." The United States delegate, Mrs. Franklin D. Roosevelt, prior to the vote on the draft as a whole, stated that the United States would vote against the resolution because it failed to take into account the recommendations of the Economic and Social Council and to recognize the effort of several United Nations bodies to place continuing work on behalf of children on a sound footing in the United Nations structure.

*Committee IV.*—On October 19, Committee IV (Trusteeship) approved without a negative vote but with 17 abstentions an amended Canadian resolution, noting the report of the Trusteeship Council and expressing confidence that the Council "will continue to contribute effectively to achieving the high objectives of the Trusteeship System." During the Committee's general debate on this report, United States representative, John Sherman Cooper, on October 13, stated that the United States believes that the Council's work over the past year demonstrates its recognition of "the responsibilities imposed upon it by the Charter to promote the advancement of the inhabitants of Trust Territories toward self-government and independence" and that the Council "has made progress toward its objectives." Concerning Soviet criticisms of the Council, Senator Cooper said that the U. S. S. R.'s concern for the dependent peoples of the world "could be demonstrated by attendance

at meetings of the Council and by making efforts to correct defects there rather than by mere denunciation and words" in Committee IV. The Committee now has under consideration 11 specific proposals relating to the Trusteeship Council's report.

**Committee V.**—In the course of its first reading of the 1951 budget estimates, Committee V (Administrative and Budgetary) on October 13 adopted an Australian resolution requesting a review of United Nations information activities with a view to seeing whether there were an opportunity for economies. In opposing the drastic cuts for informational activities advocated by the U. S. S. R., Senator Henry Cabot Lodge, Jr., the U. S. representative, pointed out the need for dissemination of information on Korean developments if the United Nations was to make of Korea a "symbol."

**Committee VI.**—The general debate on the question of reservations to multilateral conventions has been concluded in Committee VI (Legal), and on October 18 the Committee began consideration of a joint resolution sponsored by 13 members, including the United States. This resolution would refer certain specific questions relating to the Genocide Convention to the International Court of Justice for an advisory opinion and request the International Law Commission to conduct a general study of the question of reservations.

**Interim Committee of the United Nations Commission for the Unification and Rehabilitation of Korea.**—During its three closed meetings, October 13, 17, and 19, the interim committee of the new Korean Commission heard statements by representatives of the unified command and the Republic of Korea and continued to discuss Korean matters pertinent to its functions. In addition, the committee adopted a resolution, requesting members of the former United Nations Commission for Korea to remain in Korea until the arrival of the new Korean Commission, and to observe and report to the Committee on developments relating to the Assembly's objective of restoring peace and stability throughout Korea.

#### **Economic and Social Council**

Continuing its development of plans for Korean relief and rehabilitation, the Economic and Social Council at the October 16 meeting adopted by a vote of 15-0-3 (Soviet bloc) the first of three Australian resolutions on Korean relief. This resolution provides for the appointment of a temporary committee of seven Council members to make a preliminary estimate of the size of the program required for Korean relief and rehabilitation, and authorizes the committee "to obtain the advice and assistance of such other persons and authorities as it considers desirable."

The following day, the Council completed the appointment of its temporary committee, after a

Soviet refusal to serve, and agreed that at its next meeting on October 20 it would begin to formulate basic policy toward Korean relief and rehabilitation. In this connection, the Council has before it two specific proposals—a United States draft resolution for the establishment of a United Nations Korean Reconstruction Agency and an Australian resolution concerning administrative arrangements and general policy.

**Temporary Committee on Korean Relief Needs.**—Holding its opening meeting October 18, the Economic and Social Council's temporary Committee on Korean Relief Needs decided that its future recommendations to the Council would cover the period ending December 31, 1951. United States representative, Isador Lubin, offered a rough estimate of 200 million dollars for Korean relief needs until June 1951, but he cautioned that this total had been prepared on the basis of tentative data from South Korea only.

**Committee on Non-Governmental Organizations.**—The Council's Committee on Non-Governmental Organizations met on October 13 to hear the representatives of five organizations relate how, in compliance with the Council's resolution of last August, their groups might assist in the rehabilitation program for Korea.

#### **Security Council**

Having been unable to agree at two earlier meetings, the Security Council this week on October 18 again met in private to consider the question of its recommendation to the General Assembly regarding the appointment of a Secretary-General. After an exchange of views among the members, the Council decided to continue its discussion of this question on October 20.

At its other meeting this week, October 16, the Security Council had before it six specific complaints relating to the Palestine question: an Egyptian charge that Israel has expelled "thousands of Palestinian Arabs into Egyptian territory," and has violated the Egyptian-Israeli general armistice agreement; four Israeli charges of violation or nonobservance by Egypt and Jordan of the terms of the armistice agreements; and a Jordanian charge alleging violation by Israel of the armistice agreement through occupation of territory belonging to Jordan.

Before the substantive discussion was begun, the Council's President, United States Ambassador Warren R. Austin, invited representatives of Israel and Jordan, as interested non-Council members, to the Council table, noting that Jordan, as a non-United Nations member, had accepted the Charter obligations relating to peaceful settlement. The Council then heard statements by the Egyptian and Israeli representatives before adjourning until October 20.



## Instructions Issued on Internal Security Act of 1950

[Released to the press October 13]

*Following are the texts of a circular telegram and a circular airmail instruction, both dated October 11, 1950, sent to American diplomatic and consular offices throughout the world outlining provisions of the Internal Security Act of 1950 and its effect upon visa work.*

Attorney General requests that persons holding visas granted prior date receipt this circular telegram be stopped abroad until each case re-examined and visa revalidated under 1950 act. Alternative is possible detention Ellis Island.

Validity all visas issued prior receipt this circular telegram except to displaced persons under Displaced Persons Act hereby suspended until revalidated. Notify all transportation lines accordingly, mentioning possible liability heavy fines and penalties if they bring aliens ports entry United States without revalidated visas and such aliens are found to be excludable.

Revalidation shall consist following dated endorsement on each visa "Revalidated Internal Security Act 1950," over signature Diplomatic or Consular officer and office seal. No fee, no fingerprinting.

Except as otherwise provided in this circular telegram nonimmigrant visas should not be revalidated if bearer is or was member of, or affiliated with, Communist, Nazi, or Fascist Party, or any section, branch, subsidiary, affiliate, or subdivision of such party in any country. Advance ninth proviso action Attorney General required before revalidations can be granted such cases, which should be reported fully Department if revalidation deemed desirable or necessary conduct foreign relations. Attorney General must report Congress each case in which ninth proviso action approved.

Bearers 3(1) and 3(7) visas may be granted revalidations without ninth proviso action, if no security basis exclusion exists beyond present or former membership or affiliation specified under paragraph 5. If any other security ground exclusion exists beyond such membership report fully and request instructions.

Aliens now or hereafter applying under 3(1), 3(7), or Diplomatic or Official 3(3) may be granted such visas without ninth proviso action if only security ground exclusion in present or

former membership or affiliation specified under paragraph 5. If any other security ground beyond mere membership specified paragraph 5, report fully for instructions.

Immigration visas held by aliens not excludable may be revalidated. Immigration visas held by excludable aliens can not be revalidated even if bearers excludable only in membership class specified paragraph 5. Ninth proviso not applicable.

Revalidation procedure herein authorized may begin at once under this circular telegram.

Further instructions will be issued soonest regarding meaning "section, branch, subsidiary, affiliate, or subdivision" mentioned paragraph 5.

Advisory opinions may be requested doubtful cases.

### Circular Airgram

Congress enacted on September 23 the Internal Security Act of 1950, which contains certain new provisions concerning the issuance of visas:

1. No visa or other documentation as an immigrant or nonimmigrant shall be issued if the consular officer knows or has reason to believe that the applicant is inadmissible to the United States under the Act, which contains, *inter alia*, the following excludable classes of aliens some of which are new:

(a) Aliens who seek to enter the United States solely, principally, or incidentally to engage in activities which (1) would be prejudicial to the public interest, or (2) would endanger the welfare or safety of the United States.

(b) Aliens who, before the enactment of the Internal Security Act on September 23, 1950, were ineligible to receive visas because of excludability under the Act of October 16, 1918, as amended, are still ineligible, as Congress revised and reenacted that Act and added the following new excludable classes:

(1) Aliens who are, or at any time shall be or shall have been, members of or affiliated with

(A) the Communist Party of the United States;

(B) any other totalitarian party of the United States;

(C) the Communist Political Association;

(D) the Communist or other totalitarian party of any State of the United States, of any foreign state, or of any political or geographical subdivision of any foreign state;

(E) any section, subsidiary, branch, affiliate, or subdivision of any such association or party; or

(F) the direct predecessors or successors of any such association or party, regardless of what name such group or organization may have used, may now bear, or may hereafter adopt.

(G) Aliens not within any of the other provisions of this section, (b), who advocate the economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism, or who are members of or affiliated with any organization that advocates the economic, international, and governmental doctrines of world communism, or the economic and governmental doctrines of any other form of totalitarianism, either through its own utterances or through any written or printed publications issued or published by or with the permission or consent, or under the authority, of such organization, or paid for by the funds of such organization.

(H) Aliens not within any of the other provisions of this section, (b), who are members of or affiliated with any organization which is registered or required to be registered under the Subversive Activities Control Act of 1950, which requires the registration with the Attorney General of Communist-action or Communist-front organizations, unless such aliens establish that they did not know or have reason to believe at the time they became members of or affiliated with such an organization (and did not thereafter and prior to the date upon which such organization was so registered or so required to be registered acquire such knowledge or belief) that such organization was a Communist organization.

(I) Aliens who advocate or teach or who are members of or affiliated with any organization that advocates or teaches the overthrow by unconstitutional means of the Government of the United States or of all forms of law.

(J) Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, publication, or display, any written or printed matter, advocating or teaching opposition to all organized government, or advocating (A) the overthrow by force or violence or other unconstitutional means of the Government of the United States or of all forms of law; or (B) the economic, international, and governmental doctrines of world communism or the economic and govern-

mental doctrines of any other form of totalitarianism.

(K) Aliens who are, or were formerly, members of, or affiliated with, the Nazi or Fascist Party, or any section, subsidiary, branch, affiliate, or subdivision thereof.

(c) Aliens with respect to whom there is reason to believe that such aliens would, after entry, be likely to

(1) Engage in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activity subversive to the national security;

(2) Engage in any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unconstitutional means; or

(3) Organize, join, affiliate with, or participate in the activities of any organization which is registered or required to be registered with the Attorney General under the Subversive Activities Control Act of 1950.

2. The ninth proviso to section 3 of the 1917 Act may not be exercised in the cases of aliens falling under 1(a) and 1(c) above, and every case of an alien under 1(b), to which the ninth proviso is applied must be reported in detail to Congress by the Attorney General.

3. Aliens who are classifiable as nonimmigrants under Section 3(1) of the Immigration Act of 1924, as amended, could be ineligible under 1(a) or 1(c) to receive such visas, or any other visas, unless they are accredited as ambassadors, public ministers, or career diplomatic officers (which includes career diplomatic couriers) and career consular officers, of a foreign government recognized *de jure* by the United States, and the members of their immediate families.

4. All aliens applying for visas as nonimmigrants under Section 3(7) of the 1924 Act are subject to refusal if found to be excludable under 1(a) above.

5. Aliens applying for 3(7) visas, except (a) the designated principal resident representative of a foreign government member of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act, (b) the members of the immediate family of such representative, and (c) the accredited resident members of the staff of such representative, are subject to refusal if found to be excludable under 1(c) above.

6. In granting 3(7) visas to aliens who are classifiable under 5(a), (b), or (c) of the preceding paragraph, the letter E should be added to the visa number, as 367E. In granting 3(7) visas to other aliens the letter X should be added to the visa number, as 367X.

7. No alien classifiable as a nonimmigrant under Section 3(1) or 3(7) of the 1924 Act is ineligible under 1(b) above to receive such a visa.

8. The tenth proviso exemption enjoyed by accredited officials of foreign governments, their families, suites, and guests, is not modified by the new law when such persons are travelling to the United States in a nonimmigrant status under Section 3(3) of the Immigration Act of 1924. The tenth proviso does not apply to any person travelling to the United States in a nonimmigrant status under Section 3(2) of the 1924 Act.

9. The Internal Security Act of 1950 amended the Act of October 16, 1918, as amended, by adding a new section number 7, which provides that upon notification by the Attorney General that any country upon request denies or unduly delays acceptance of the return of any alien who is a national, citizen, subject, or resident thereof, the Secretary of State shall instruct consular officers performing their duties in the territory of such country to discontinue the issuance of immigration visas to nationals, citizens, subjects, or residents of such country, until such time as the Attorney General shall inform the Secretary of State that such country has accepted such alien.

10. The cases of aliens coming to the United Nations headquarters under section 11(1) or (2) of the headquarters site agreement will usually be documented as 3(7) cases. The cases of aliens coming under sections 11(3), (4), and (5) of the headquarters site agreement will usually be documented as 3(2) cases. The 11(3), (4), and (5) aliens are not exempt from refusal of visas if found to be excludable under the provisions of paragraphs 1(a), (b) and (c) above. The cases of 11(3), (4), and (5) aliens falling within 1(a) and (c) are not eligible to receive visas under the Internal Security Act of 1950. The cases of 11(3), (4), and (5) aliens excludable only under 1(b) may be granted limited and restricted visas and admitted under the ninth proviso, but a report of each such case must be submitted to Congress by the Attorney General. Such visas shall be granted gratis for a single entry under Section 3(3) and shall be made "Valid only for transit to and from U.N." However, in the case of each such visa applicant a full report shall be submitted to the Department in order that the Attorney General may be requested to authorize temporary admission before the visa is granted. The provisions of this paragraph are subject to the provisions of paragraph 13 *infra*.

11. The act contains the following pertinent definitions:

(a) "(8) The term 'publication' means any circular, newspaper, periodical, pamphlet, book, letter, post card, leaflet, or other publication."

(b) "(13) The term 'advocates' includes advises, recommends, furthers by overt act, and ad-

mits belief in; and the giving, loaning, or promising of support or of money or anything of value to be used for advocating any doctrine shall be deemed to constitute the advocating of such doctrine."

(c) "(14) The term 'world communism' means a revolutionary movement, the purpose of which is to establish eventually a Communist totalitarian dictatorship in any or all the countries of the world through the medium of an internationally coordinated Communist movement."

(d) "(15) The terms 'totalitarian dictatorship' and 'totalitarianism' mean and refer to systems of government not representative in fact, characterized by (A) the existence of a single political party, organized on a dictatorial basis, with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party."

(e) "(16) The term 'doctrine' includes, but is not limited to, policies, practices, purposes, aims or procedures."

(f) "(17) The giving, loaning, or promising of support or of money or any other thing of value for any purpose to any organization shall be conclusively presumed to constitute affiliation therewith; but nothing in this paragraph shall be construed as an exclusive definition of affiliation."

(g) "(18) 'Advocating the economic, international, and governmental doctrines of world communism' means advocating the establishment of a totalitarian Communist dictatorship in any or all of the countries of the world through the medium of an internationally coordinated Communist movement."

(h) "(19) 'Advocating the economic and governmental doctrines of any other form of totalitarianism' means advocating the establishment of totalitarianism (other than world communism) and includes, but is not limited to, advocating the economic and governmental doctrines of fascism and nazism."

12. Doubtful cases should be referred to the Department with full reports for advisory opinions.

13. All cases, in which it appears that due to the Internal Security Act of 1950, the alien is ineligible to receive a visa as a nonimmigrant under Section 3(1) or 3(7) of the 1924 Act or when the case involves a person coming under the headquarters site agreement with the United Nations, action should be suspended and a full report submitted to the Department. No decision has yet been reached as to the effect of the Act on the Headquarters Agreement.



## THE DEPARTMENT

### Appointment of Officers

John L. Dunning as chief, Division of International Press and Publications, effective October 1, 1950.

The following designations, effective September 1, in the Office of Middle American Affairs:

Thomas C. Mann, as director; Roy R. Rubottom, Jr., as officer in charge, Mexican Affairs; W. Tapley Bennett, Jr., as officer in charge, Central American and Panama Affairs.

### Transferring Occupation Functions in Austria to the Department of State<sup>1</sup>

By virtue of the authority vested in me by the Constitution and the Statutes, including Title II of Chapter XI of the General Appropriation Act, 1951 (Public Law 759, 81st Congress), and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is hereby ordered as follows:

1. There are hereby vested in the Department of State, except as hereinafter provided, the responsibilities and obligations of the United States in connection with the occupation of Austria, including the controls defined in the Agreement on the Machinery of Control in Austria dated June 28, 1946. There are transferred to the Department of State such unobligated balances of the appropriation for Government and Relief in Occupied Areas for the Fiscal Year ending June 30, 1951 and such property, including records, as the Director of the Bureau of the Budget shall determine to relate primarily to the functions herein transferred.

2. The United States High Commissioner for Austria shall continue to be the supreme United States authority in Austria, shall be the Chief of the United States diplomatic mission, and shall be responsible, under the immediate supervision of the Secretary of State, for the total governmental program of the United States in Austria, including representation of the United States in the Allied Commission for Austria: *Provided*, That (1) with respect to military matters as mutually defined by the Department of State and the Department of Defense the Commanding General, United States Forces in Austria, shall continue to receive instructions directly from the Joint Chiefs of Staff, and (2) the chief of the special mission of the Economic Cooperation Administration and his staff shall function in relation to the High Commissioner as described in section 109(b) of the Economic Cooperation Act of 1948 (Public Law 472, 80th Congress), as amended.

<sup>1</sup> Ex. O. 10171, 15 *Fed. Reg.* 6901.

3. On request of the High Commissioner, or in accordance with his instructions from the Joint Chiefs of Staff in respect of military matters, the Commanding General shall take all necessary measures to protect United States interests in Austria and whatever action may be considered essential to preserve law and order and safeguard the security of United States troops and personnel.

4. Except as stated above, all representatives of the United States Government in Austria are under the authority of the High Commissioner, who will facilitate the work of United States agencies in Austria and will assist them in their relations with representatives of the Austrian Government, all such relations being subject to his jurisdiction and discretion.

5. This order shall become effective on October 16, 1950.

HARRY S. TRUMAN

THE WHITE HOUSE,  
October 12, 1950.

## PUBLICATIONS

### Recent Releases

*For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.*

**Action in Korea Under Unified Command: First Report to the Security Council by the United States Government, July 25, 1950.** International Organization and Conference Series III, 54. Pub. 3935. 7 pp. 5¢.

Report of Korean events in accordance with the Security Council resolution of July 7, 1950.

**Geneva Conventions of August 12, 1949 for the Protection of War Victims.** General Foreign Policy series 34. Pub. 3938. 255 pp. \$1.00.

Final act, resolutions, Geneva Conventions for the Amelioration of the Wounded and Sick in Armed Forces in the Field . . . for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea . . . Relative to the Treatment of Prisoners of War . . . Relative to the Protection of Civilian Persons in Time of War, and Reservations.

**U. S. National Commission UNESCO News, September 1950.** Pub. 3946. 16 pp. 10¢ a copy; \$1 a year domestic, \$1.35 a year foreign.

The monthly publication of the United States National Commission for UNESCO.

**Thailand: Its People and Economy.** Far Eastern Series 30. Pub. 3958. 8 pp. Free.

A fact sheet on Thailand's background, government, general economic situation, transportation and communications, and international relations.

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